

**READINGTON TOWNSHIP COMMITTEE
MEETING – JUNE 4, 2012**

Mayor Auriemma *calls the meeting to order at 6:30 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Mayor T. Auriemma, Mrs. B. Fort, Mr. F. Gatti, Mrs. B. Muir

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan, Engineer R. O'Brien

ABSENT: Deputy Mayor J. Allen

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-6 *et seq.*, the Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee is of the opinion that such circumstances presently exist and desires to authorize the exclusion of the public from the portion of the meeting in accordance with the act;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the specified subject matter as set forth in the following Exhibit "A."

EXHIBIT A

| <u>Subject Matter</u> | <u>Basis Of Public Exclusion</u> | <u>Date Anticipated When Disclosed to Public</u> |
|---|---|--|
| Award of 2012 Road Reclamation..... | Contract Negotiations..... | Certain information at the discretion of Township Committee tonight...other information will be confidential |
| Block 63, Lots 66 & 68..... | Contract Negotiations..... | “ “ “ |
| Shared Services / Town of Clinton... | Contract Negotiations..... | “ “ “ |
| Executive Session Minutes..... | Attorney-Client Privilege..... | “ “ “ |
| • May 21, 2012 | | |
| Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6 & 8; Block 39, Lot 24 & Block 67, Lot 2 (Solberg Aviation)..... | Litigation..... | “ “ “ |

It is anticipated at this time that the stated subject matter will be made public on or about the time set forth in Exhibit "A."

2. This Resolution shall take effect immediately.

A **MOTION** was made by Mrs. Muir to adopt this resolution, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:30 p.m.

Mayor Auriemma led those present in the *Salute to the Flag*.

Executive Session:

Contract Negotiations / Award of 2012 Road Reclamation

The following resolution was offered for consideration:

#R-2012-71

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, the Township Committee of the Township of Readington publicly advertised for bids for the proposed 2012 Roadway Reclamation and Resurfacing Program for various roadways in the Township (hereinafter referred to as “the Project”); and

WHEREAS, on May 22, 2012 the Administrator/ Municipal Clerk conducted the bid opening whereupon the total number of bidders responding was one (1); and

WHEREAS, the Reclamation, LLC submitted the only bid for the Project in the amount of \$89,007.75 and

WHEREAS, the Township Engineer reviewed the bid schedule and recommended the award to Reclamation, LLC , subject to receiving certification as to availability of funds and municipal attorney review; and

WHEREAS, at the Township Committee meeting held on June 4, 2012, the Township Committee reviewed the recommendation of the Township Engineer and the Township Attorney.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington as follows:

1. The Township Committee hereby awards a contract to Reclamation, LLC in the amount of \$89,007.75.

BE IT FURTHER RESOLVED that the Township Administrator/Clerk is authorized to notify the successful bidder on this award in the amount of \$89,007.75 and the Mayor and Township Administrator/Municipal Clerk are authorized to sign the contract with Reclamation, LLC.

A **MOTION** was made by Mrs. Fort to adopt this resolution, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mrs. Fort - Aye
Mr. Gatti - Aye
Mrs. Muir - Aye
Mayor Auriemma - Aye

Contract Negotiations / Block 63, Lots 66 & 68

Mayor Auriemma stated that this matter remains in Executive Session.

Contract Negotiations / Shared Services / Town of Clinton

Mayor Auriemma stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / May 21, 2012

A ***MOTION*** was made by Mrs. Muir to approve the Executive Session Minutes of May 21, 2012 for content only, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

Litigation / Solberg Aviation / Block 48, Lot 23; Block 55, Lot 33; Block 56, Lot 1, 3, 6 & 8; Block 39, Lot 24 and Block 67, Lot 2

Mayor Auriemma stated that as of Friday Judge Ciccone made a decision on Ordinance #22-2011 whereby the motion to amend the complaint as per the 2011 ordinance was granted by the court and awarded the defendant fees for the abandonment part of the claim.

Mayor Auriemma read the following statement:

All items listed with an asterisk “*” are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

- * 1. **APPROVAL OF MINUTES** of meeting of May 21, 2012
- * 2. **Resolution for Conducting Annual Budget Examination**

The following resolution was offered for consideration:

#R-2012-72

**TOWNSHIP OF READINGTON
RESOLUTION FOR CONDUCTING ANNUAL BUDGET EXAMINATION**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Readington has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2010 budget year, so now therefore

BE IT RESOLVED, by the Mayor and Council of the Township of Readington that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

Resolution #R-2012-72 cont'd:

4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

- * 3. ***NJDOT Route 22 Median Opening Modification (SC-22-C-0020-2005)***
 (Entire File Available in Clerk’s Office for Review)
- * 4. ***Resolution Authorizing Alcoholic Beverage License Renewals for 2012-13***

The following resolution was offered for consideration:

#R-2012-73

RESOLUTION AUTHORIZING ALCOHOLIC BEVERAGE LICENSE RENEWALS

BE IT RESOLVED, by the Township Committee of the Township of Readington that the following Readington Township Alcoholic Beverage License Renewals for 2012-2013 be approved:

PLENARY RETAIL DISTRIBUTION:

| <u>LICENSE NUMBER</u> | <u>LICENSE HOLDER</u> | <u>MUNICIPAL FEE</u> | <u>STATE FEE</u> |
|-----------------------|-------------------------------|----------------------|------------------|
| 1022-44-008-005 | Bishop & Bishop Bar & Liquors | \$1,845.50 | \$200.00 |
| 1022-44-015-004 | Readington Wine & Spirits LLC | \$1,845.50 | \$200.00 |

PLENARY RETAIL CONSUMPTION:

| <u>LICENSE NUMBER</u> | <u>LICENSE HOLDER</u> | <u>MUNICIPAL FEE</u> | <u>STATE FEE</u> |
|-----------------------|---|----------------------|------------------|
| 1022-33-001-004 | Stanton Ridge Hospitality Corporation | \$1,845.50 | \$200.00 |
| 1022-33-009-006 | Kalli 2 LLC | \$1,845.50 | \$200.00 |
| 1022-33-007-006 | Bensi of Whitehouse Station, LLC. | \$1,845.50 | \$200.00 |
| 1022-33-005-006 | Readington Diner, Inc. | \$1,845.50 | \$200.00 |
| 1022-33-002-009 | Mitnick Steve J as Assignee of Pirantello | \$1,845.50 | \$200.00 |
| 1022-33-003-007 | 215 White Liquors LLC | \$1,845.50 | \$200.00 |

CLUB:

| <u>LICENSE NUMBER</u> | <u>LICENSE HOLDER</u> | <u>MUNICIPAL FEE</u> | <u>STATE FEE</u> |
|-----------------------|--|----------------------|------------------|
| 1022-31-012-001 | Polish American Citizens Club | \$ 150.00 | \$200.00 |
| 1022-31-010-001 | Whitehouse American Legion Post 284 | \$ 150.00 | \$200.00 |
| 1022-31-014-001 | Three Bridges Volunteer Fire Co 1 Inc. | \$ 150.00 | \$200.00 |

- * 5. **Running Company – 1/2 Marathon for Cancer Support Community of Central NJ** – Letter requesting permission to use Township roads (October 21, 2012)
- * 6. **Release of Funds** – Edwards, Norman / Block 63, Lot 69 (142 Foothill Rd.) (Board of Health Escrow - \$750)
- * 7. **Release of Funds** – Fischer, David / Block 46, Lot 19.19 (8 Brier Rd.) (Board of Health Escrow - \$750)
- * 8. **Firemen’s Membership Application** - Brett H. Ebel
- * 9. **Tax Lien Redemption** (Block 21.04, Lot 506.02)

The following resolution was offered for consideration:

**READINGTON TOWNSHIP
 HUNTERDON COUNTY, STATE OF NEW JERSEY
 RESOLUTION**

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 21.04, Lot 506.02 and,

WHEREAS, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$48,270.40, plus a premium paid in the amount of \$7,000.00, known as Tax Sale Certificate #582, to the lienholder, Royal Tax Lien Services, LLC.

- * 10. **Payment of Bills** – (Complete bill list is on file in Clerk’s Office)

| <u>Fund Description</u> | <u>Fund No.</u> | <u>Received Total</u> |
|-----------------------------------|-----------------|-----------------------|
| CURRENT FUND | 2-01 | \$ 701,679.93 |
| SEWER APPROPRIATIONS | 2-02 | \$ 101,934.50 |
| TRUST FUNDS | X-03 | \$ 16,075.81 |
| MISC REFUND, COUNTY TAX, LIENS | X-05 | \$ 81,106.36 |
| PAYROLL DEDUCTIONS | X-06 | <u>\$ 189,130.52</u> |
| TOTAL OF ALL FUNDS | | \$1,089,927.12 |

A MOTION was made by Mrs. Muir to approve the Consent Agenda, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mrs. Fort - Aye
 Mr. Gatti - Aye
 Mrs. Muir - Aye
 Mayor Auriemma - Aye

COMMENTS FROM THE PUBLIC for items listed on the agenda only

There were none.

PUBLIC HEARINGS

As it was after 8:00 p.m., **A MOTION** was made by Mr. Gatti to adjourn the regular meeting to hold a Public Hearing, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

2012 Municipal Budget

Mr. Gatti gave a power point slide presentation on the highlights of the 2012 Municipal Budget.

Mayor Auriemma asked if there were any other comments from the Governing Body.

There were none.

Mayor Auriemma asked if there were any comments from the Public.

Britt Simon, John Stevens Road, questioned the Committee on the recent award from the Court regarding the Solberg Airport and whether those legal bills have been taken into consideration in the budget.

A MOTION was made by Mr. Gatti to close the Public Hearing and open the regular Meeting, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

A MOTION was made by Mr. Gatti to adopt the 2012 Municipal Budget, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

| | |
|----------------|-------|
| Mrs. Fort | -Aye |
| Mr. Gatti | -Aye |
| Mrs. Muir | - Aye |
| Mayor Auriemma | -Aye |

Mr. Gatti thanked Administrator Mekovetz and Chief Financial Officer Tom Carro for their tremendous assistance during the budget process.

CORRESPONDENCE / OTHER INFORMATION

1. Memorandum dated May 15, 2012 from Laura Eidsvaag, Municipal Clek, Borough of Califon regarding **Resolution Calling for the Restoration of Energy Taxes to Municipalities**. No action taken.
2. Memorandum dated May 15, 2012 from Laura Eidsvaag, Municipal Clek, Borough of Califon regarding **Resolution Supporting Municipal Enlistment in the Military Initiative**. No action taken.
3. Memorandum dated May 17, 2012 from Rose Sollena, Municipal Clerk, Township of Raritan regarding **Resolution Opposing S-1451 and S-1452, Open Public Meetings Act and Open Public Records Act**. No action taken.
4. Memorandum dated May 21, 2012 from Karen Sandorse, Muncipal Clerk, Township of Lebanon regarding **Calling for an Extension for Affordable Housing Funds to be Committed**.

Mrs. Fort requested that the Committee consider passing a similar resolution.

The following resolution was offered for consideration:

#R-2012-74

RESOLUTION CALLING FOR AN EXTENSION FOR AFFORDABLE HOUSING TRUST FUNDS TO BE COMMITTED

WHEREAS, P.L. 2008, c. 46 established a four year timetable for municipal housing trust dollars to be “committed for expenditure, or risk forfeiture to the State;” and

WHEREAS, the 2008 Act did not define the term “committed for expenditure” and deferred to the Council on Affordable Housing (COAH) to promulgate regulations as to be requirements to be met for “committed” as well as a timeable for expenditures; and

WHEREAS, neither COAH nor the Department of Community Affairs has adopted, nor proposed, the regulations pursuant PL 2008, c. 46; and

WHEREAS, hundreds of municipalities submitted spending plans to COAH, of which only a fraction of these plans were reviewed by the agency, and most of these municipalities have not been provided any guidance on their spending plans; and

WHEREAS, at the time of 2008 Act, COAH was prepared to adopt its “3rd round regulations” establishing municipal under the “Fair Housing Act”; and

WHEREAS, COAH’S 3rd round regulations were highly controversial and fundamentally flawed, and subsequently set aside by the Appellate Division, and the appeal of that decision now awaits consideration by the State Supreme Court; and

WHEREAS, eight years of litigation over COAH’s methodology has had a chilling effect not only on the development of affordable housing, but on the ability of local governments to commit trust funds dollars without knowledge of their respective obligations, and certainty that such commitment would count towards its housing obligation; and

WHEREAS, in 2008 the State Legislature passed Permit Extension Act providing developers additional time because of the economic recess, an extension that was further granted in 2010 and which a third extension is now under consideration by the Legislature; and

WHEREAS, many of the project in which the permits have been extended include an affordable housing component, and no such extension to municipalities; and

WHEREAS, forfeiture of trust fund dollars starting in July 2012 would be fundamentally unfair, inequitable and indefensible since neither COAH nor DCA has provided the required guidance or certainty; and

WHEREAS, these trust fund dollars should be used as intended: to subsidize the costs for municipalities in meeting their affordable housing obligations while assuring that these costs do not fall to local taxpayers; and

WHEREAS, forfeiture of these dollars, estimated by some to be as much as \$200 million, would displace this financial obligation to the taxpayers in these communities; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Readington urges the Christie Administration and the State Legislature to extend the July 2012 to “commit” municipal affordable housing trust fund dollars and for the State to provide the needed regulatory guidance contemplated in PL 2008 c. 46; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Chris Christie, Senator Bateman, Assemblyman Ciattarelli and Assemblywoman Simon and the New Jersey State League of Municipalities.

A **MOTION** was made by Mrs. Fort to adopt this resolution, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

5. Resolution from Cynthia Ege, City Clerk, City of Lambertville regarding ***Requesting the Governor and Legislature Amend OPRA so that Citizens' Home Addresses, Phone Numbers and Email Addresses are Exempted from Disclosure.*** No action taken.
6. Public Hearing Notice from New Jersey Transit regarding ***Proposed Bus Service Optimization Affecting Routes.*** No action taken.
7. Memorandum dated May 22, 2012 from Rose Sollena, Municipal Clerk, Township of Reading regarding ***Resolution Supporting The Good Samaritan Overdose Response Act (S581/A567) and Requesting Consideration by the New Jersey Senate and Assembly.*** No action taken.

OLD BUSINESS

1. ***Sophie Street Pedestrian Walkway***

Administrator Mekovetz stated that the last time this matter was on the agenda it was decided that the Committee would walk the property and provide Engineer O'Brien direction on how to proceed. Mrs. Muir stated that she had walked the property and recommended that this matter be sent back to the Planning Board for reconsideration. Mr. Gatti stated that he spoke with Scott Jesseman regarding an already existing boardwalk currently being maintained near Lake Cushetunk and the estimated cost of installing a similar walkway would be \$50,000 for the labor plus \$31,000 for the materials, which would be paid by the developer, in addition to the costs of wetland permits. Mr. Gatti continued that future maintenance issues, including snow removal are qualified reasons to send this back to the Planning Board since the walkway, serving a limited number of houses, does not seem a prudent use of funds.

A ***MOTION*** was made by Mrs. Fort to send this matter back to the Planning Board for the reasons stated, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

| | |
|----------------|-------|
| Mrs. Fort | -Aye |
| Mr. Gatti | -Aye |
| Mrs. Muir | - Aye |
| Mayor Auriemma | -Aye |

NEW BUSINESS

- * 1. ***Resolution for Conducting Annual Budget Examination***

This matter was addressed under the Consent Agenda.
- * 2. ***NJDOT Route 22 Median Opening Modification (SC-22-C-0020-2005)***
(Entire File Available in Clerk's Office for Review)

This matter was addressed under the Consent Agenda.
- * 3. ***Resolution Authorizing Alcoholic Beverage License Renewals for 2012-13***

This matter was addressed under the Consent Agenda.
- * 4. ***Running Company – 1/2 Marathon for Cancer Support Community of Central NJ*** – Letter requesting permission to use Township roads (October 21, 2012)

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- * 5. **Release of Funds** – Edwards, Norman / Block 63, Lot 69 (142 Foothill Rd.)
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This matter was addressed under the Consent Agenda.

- * 6. **Release of Funds** – Fischer, David / Block 46, Lot 19.19 (8 Brier Rd.)
(Board of Health Escrow - \$750)

This matter was addressed under the Consent Agenda.

- * 7. **Firemen's Membership Application** - Brett H. Ebel

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz stated that she had nothing further to report.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

ENGINEER'S REPORT

Engineer O'Brien reported that he is working on the comprehensive traffic related ordinance and found an ordinance for WaWa restricting vehicles in excess of 15,000 lbs. which will be incorporated in the future ordinance.

Mrs. Muir requested Engineer O'Brien to look into the signage for new traffic pattern on Lazy Brook Road before River Avenue.

Engineer O'Brien reported that the Township is apply for a transportation enhancement grant for improvements to Main Street.

COMMITTEE REPORTS

Thomas Auriemma

Mayor Auriemma reported that the Memorial Day Parade took place on May 28th.

Betty Ann Fort

Mrs. Fort stated that the Zoning Officer is trying to follow up on complaints regarding lawn maintenance on foreclosed homes. Administrator Mekovetz stated that she spoke with John Barczyk about looking into how other municipalities are dealing with this situation.

Mrs. Fort reported that Judge Shamey sent her the list of 2011 DUI disbursements for the Hunterdon County towns and Readington topped the list with \$3,075.89 in disbursements.

Mrs. Fort reported that the original proposal for the Main Street sidewalks from Kline Boulevard to Nelson Street, shaving the sidewalks to ¾", was estimated at \$4290; however it was suggested by the Director of Public Works to consider extending the repair from the Municipal Building (Mountain Road) to Kings and shaving the walks to ½" at a total cost of \$8,950. Mrs. Fort requested that the Committee consider the extended improvement since it would be more cost effective to do the repair all at once.

A **MOTION** was made by Mrs. Fort to repair the sidewalks from Mountain Road to Kings, shaving anything over ½” for a total of \$8,950, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

| | |
|----------------|-------|
| Mrs. Fort | -Aye |
| Mr. Gatti | -Aye |
| Mrs. Muir | - Aye |
| Mayor Auriemma | -Aye |

Mrs. Fort also reported that the 5th grade Partners in Education Program was completed today.

Frank Gatti

Mr. Gatti stated that he wanted to introduce John Anderson from Jersey Central Power & Light. Mr. Anderson gave a brief report on the upgrades on the communications database for Jersey Central Power & Light and agreed to write an article for the Readington News describing these improvements.

Beatrice Muir

Mrs. Muir reported that Board of Health has a new member, Robert Colburn.

COMMENTS FROM THE PUBLIC

There were none.

COMMENTS FROM THE GOVERNING BODY

Mrs. Muir questioned Tom Carro as to which banks the township monies are relegated to.

As there was no further business, A **MOTION** was made by Mrs. Fort at 8:45 p.m. to adjourn the meeting, seconded by Mr. Gatti with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/QPA
Municipal Clerk