

**READINGTON TOWNSHIP COMMITTEE
MEETING – OCTOBER 1, 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, Deputy Mayor J. Allen, Mrs. B. Fort, Mr. F. Gatti, Mrs. B. Muir

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

ABSENT: None

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>
Police Department / Promotional Process	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will be confidential
Fallone Readington Woods..... Block 31, Lot 37	Contract Negotiations.....	“ “ “
Block 63, Lot 66 (Yard Smith)..... Block 63, Lot 68 (Smith)	Contract Negotiations.....	“ “ “
Executive Session Minutes..... • September 17, 2012	Attorney-Client Privilege.....	“ “ “
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. Allen 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:

Personnel / Police Department / Promotional Process

Mayor Auriemma stated that this matter remains in Executive Session.

Contract Negotiations / Fallone Readington Woods / Block 31, Lot 37

A **MOTION** was made by Mr. Gatti to approve the form of the agreement, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

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

Contract Negotiations / Block 63, Lot 66 (Yard Smith) & Block 63, Lot 68 (Smith)

A **MOTION** was made by Mrs. Muir to approve the agreement as amended for Block 63, Lot 66, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

A **MOTION** was made by Mrs. Muir to approve the agreement as amended for Block 63, Lot 68, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Attorney-Client Privilege / Executive Session Minutes / September 17, 2012

Mayor Auriemma stated that this matter will be deferred to the next meeting.

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 this matter remains in Executive Session.

SWEARING IN OF NEW POLICE DEPARTMENT LIEUTENANTS

Administrator Mekovetz swore in Lieutenant John Insabella.

Administrator Mekovetz swore in Lieutenant Joseph Greco.

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 September 17, 2012
- * 2. ***Social Affairs Permit*** (Whitehouse American Legion / October 13, 2012)
- * 3. ***Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Summer Road - Section II Project***

The following resolution was offered for consideration:

#R-2012-107

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SUMMER ROAD – SECTION II PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Readington Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Administrator/Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-ReadingtonTownship-00209 to the New Jersey Department of Transportation on behalf of the Township of Readington

BE IT FURTHER RESOLVED that the Mayor and Administrator/Municipal Clerk are authorized to sign the grant agreement on behalf of the Township of Readington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

- * 4. ***Resolution Authorizing Disposal of Surplus Property***

The following resolution was offered for consideration:

#R-2012-108

***TOWNSHIP OF READINGTON
RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY***

WHEREAS, the Township of Readington is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township of Readington is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

- 1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract #70967/T-2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Township of Readington.

Resolution #R-2012-108 cont'd:

2. The sale will be conducted online and the address of the auction site is govdeals.com
3. The sale is being conducted pursuant to Local Finance Notice 2008-09.
4. A list of the surplus property to be sold is as follows:

Year of Equip	Make	Model	Serial # or VIN	Item description
1996	Jeep	Cherokee	1J4FJ68SXTL210411	Wagon

5. The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Township of Readington reserves the right to accept or reject any bid submitted.

* 5. ***Resolution Authorizing Educational Service Commission Cooperative Purchase***

The following resolution was offered for consideration:

#R-2012-109

***TOWNSHIP OF READINGTON
 RESOLUTION AUTHORIZING EDUCATIONAL SERVICES COMMISSION
 COOPERATIVE PURCHASES***

WHEREAS, the Township of Readington wishes to purchase gasoline and diesel fuel from an authorized vendor under the Hunterdon County Educational Services Commission Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, NJS.A. 40A:II-12; and

WHEREAS, Allied Oil LLC, 25 Old Camplain Road, Hillsborough, NJ 08844 has been awarded Hunterdon County Educational Services Commissions Contract for Gasoline and Ultra Low Sulfur Diesel Fuel, for the period one (1) year, October 7, 2012 - October 6, 2013; and

WHEREAS, the Administrator recommends the utilization of this contract on the grounds that it represents the best price available, not to exceed \$360,000 for Allied Oil, LLC.

WHEREAS, the Chief Finance Officer has certified the availability of funds for this contract.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Allied Oil LLC be awarded a contract for Gasoline and Ultra low sulfur diesel fuel; and

Resolution #R-2012-109 cont'd:

BE IT FURTHER RESOLVED, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

- * 6. **Release of Police Escrow** (Communications Construction - \$103.37)
- * 7. **Tax Cancellation**

The following resolution was offered for consideration:

READINGTON TOWNSHIP

HUNTERDON COUNTY, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, the U.S. Department of Veterans Affairs has determined that the property owner of Block 36, Lot 116 is a 100% permanently disabled veteran (date of determination – July 28, 2011) and,

WHEREAS, the property owner purchased the property on March 28, 1974.

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Tax Collector be authorized to cancel the 2012 property taxes and refund the owner \$8,245.60, the pro-rated amount of property taxes paid for July 28, 2011 – December 31, 2011 as well as the 1st and 2nd Quarter payments for 2013.

- * 8. **Tax Cancellation**

The following resolution was offered for consideration:

READINGTON TOWNSHIP

HUNTERDON COUNTY, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, the U.S. Department of Veterans Affairs has determined that the property owner of Block 71, Lot 4 is a 100% permanently disabled veteran (date of determination – September 7, 2004) and,

WHEREAS, the property owner purchased the property on August 3, 2012.

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Tax Collector be authorized to cancel the 2012 property taxes due for the period August 3 – December 31, 2012 in the amount of \$5,132.71.

- * 9. **Tax Refund**

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, a duplicate payment has resulted in an overpayment for the 3rd Quarter 2012 taxes, and

WHEREAS, the Tax Collector has recommended the following refund:

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO</u>	<u>AMOUNT</u>
70	19.28	Andrew J. Michaels	\$2,321.08

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, that the Treasurer be authorized to refund the amount recommended.

- * 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	1-01	\$ 124.45
CURRENT FUND	2-01	\$ 464,718.30
SEWER APPROPRIATIONS	2-02	\$ 108,155.40
TRUST FUNDS	X-03	\$ 146,200.16
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 15,598.21
PAYROLL DEDUCTIONS	X-06	\$ 140,658.57
REG. & LOCAL SCHOOL TAX	X-07	<u>\$2,430,729.00</u>
TOTAL OF ALL FUNDS		\$3,306,184.09

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

- Mrs. Allen - Aye
- 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 Mrs. Muir to adjourn the regular meeting to hold a Public Hearing, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Clerk read by Title:

**An Ordinance Amending Chapter 148 of the Land Use Ordinance of the
 Township of Readington, County of Hunterdon and State of New Jersey
 Pertaining to the ROM-2 Zone / Conditional Uses / Solar Changes**

Ordinance #20-2012

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

Mrs. Muir questioned whether this ordinance was in compliance with state regulations regarding solar placement.

Mrs. Allen stated that this is consistent with state regulations and that solar is required to be an allowed use in commercial zones. Mrs. Allen continued that this amended ordinance also addresses the concern to request consideration of allowing warehousing in some of the ROM zones.

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

There were none.

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

Clerk read by Title:

An Ordinance Amending Chapter 148 of the Land Use Ordinance of the Township of Readington, County of Hunterdon and State of New Jersey Pertaining to the ROM-2 Zone / Conditional Uses / Solar Changes

Ordinance #20-2012

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

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

A **MOTION** was made by Mrs. Fort to adjourn the regular meeting to open the Public Hearing, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Clerk read by Title:

An Ordinance Amending Chapter 148 of the Land Use Ordinance of the Township of Readington, County of Hunterdon and State of New Jersey Pertaining to Solar / Renewable Energy Facilities

Ordinance #21-2012

Mayor Auriemma asked if there were any comments from the governing body.

There were none.

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

There were none.

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

Clerk read by Title:

An Ordinance Amending Chapter 148 of the Land Use Ordinance of the Township of Readington, County of Hunterdon and State of New Jersey Pertaining to Solar / Renewable Energy Facilities

Ordinance #21-2012

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

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

CORRESPONDENCE / OTHER INFORMATION

1. Memorandum dated September 18, 2012 from Donna Burham, Municipal Clerk, Township of Clinton regarding ***An Ordinance Supplementing and Amending Chapter 165 Entitled “Land Use Regulations of The Code of the Township of Clinton, 2003 as heretofore Supplemented and Amended is hereby Supplemented and Amended The Affordable Housing Development Fee Provisions of Article XXII of Chapter 165, “Land Use Regulations” of the Code of the Township of Clinton.*** No action taken.
2. Memorandum dated September 25, 2012 from Sharon L. Brienza, Municipal Clerk, Township of Branchburg regarding ***An Ordinance Amending the Land Development Ordinances of the Township of Branchburg by Replacing Section 4-10 Entitled “Outdoor Dining”, in its Entirety.*** No action taken.

OLD BUSINESS

1. ***An Ordinance Amending Chapter 96, Entitled “Construction Codes, Uniform” of the Code of the Township of Readington, County of Hunterdon, State of New Jersey***

Attorney Dragan stated that after a discussion with Mike Kovonuk, Construction Code Official, it was suggested amending the fees to read as follows: *Under Section 96.6.4 Fees a) 1-5 business days : \$70.00 and b) 6-12 business days : \$40.00. and eliminate the 11-20 business days.*

The following ordinance was offered for introduction:

AN ORDINANCE AMENDING CHAPTER 96, ENTITLED “CONSTRUCTION CODES, UNIFORM” OF THE CODE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

ORDINANCE #22-2012

BE IT ORDAINED, by the Mayor and Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Chapter 96 of the Code of the Township of Readington entitled “Construction Code, Uniform” is hereby amended to add the following new section and provisions as follows:

SECTION 1. Chapter 96, “Construction Code, Uniform”

Sec. 96-6. Construction Records Clearance Required (CRC)

Sec. 96.6.1 When Required.

- a. A Construction Records Clearance (CRC) shall be required prior to the sale of any residential or commercial structure. In that event, there shall be no change in occupancy of a building or structure, in whole or part, prior to the issuance of a CRC.
- b. Exceptions. The following transactions are exempt from obtaining a CRC as long as no change in physical occupancy occurs:

Ordinance #22-2012 cont'd:

1. Transfer of title to correct a previously recorded deed.
2. Title eligible to be recorded as an ancient deed pursuant to N.J.S.A. 46:16-7.
3. Transfer of title between husband and wife/civil union partners, whether or not relating to divorce, or other formal severance, or between former spouses/civil union partners if the transfer is incident to an order or judgment from any court of competent jurisdiction.
4. Transfer of title relating to new construction for which a certificate of occupancy is required.
5. Transfer of title by or to an executor, administrator or court order which affects a distribution of a descendant's estate in accordance with the provisions of the descendant's will or the interstate laws of the state.
6. Transfer of title due to refinancing, home equity loans, second mortgages.
7. Transfer of title by or to a receiver, trustee in bankruptcy or liquidation, or assignee for the benefit of creditors.
8. Transfer between a parent and child.
9. Transfer releasing a right of reversion.
10. Transfer solely to provide a release or security for a debt or obligation.

Sec. 96.6.2 Responsibility.

No owner shall permit the sale of a residential or commercial premises covered under this section unless the requisite CRC has been issued. No purchaser or new tenant shall occupy any premises covered under this section until the requisite CRC has been issued. Owners and occupants shall be jointly and separately responsible for failure to obtain the requisite CRC required hereunder. The owner or his authorized agent shall submit a written application and payment of fees at least 10 business days prior to the change of ownership and/or occupancy on the form provided by the Township.

Sec. 96.6.3 Preoccupancy records inspection.

Prior to the issuance of any such certificate for any transaction, the enforcing agency shall conduct a records inspection to ensure that there are no open construction permits on subject premises. Should there be open permits on subject premises, all final inspections and prior approvals shall be obtained and appropriate Uniform Construction Code certificates shall be issued prior to issuance of the CRC.

Sec. 96.6.4 Fees.

The applicant shall submit with the application fees for the CRC as follows to cover the administrative cost in accordance with the following schedule:

- | | |
|-----------------------|----------|
| a. 1-5 business days: | \$ 70.00 |
| b. 6-12 business days | \$ 40.00 |

Ordinance #22-2012 cont'd:

Sec. 96.6.5 Violations and Penalties.

- a. Any person, firm or corporation violating any provisions of this section shall, upon conviction, be punishable by a fine not exceeding \$1,000, imprisonment for a period not exceeding 90 days and/or a period of community service not exceeding 90 days.
- b. The issuance of a CRC shall not preclude the imposition of penalties upon subsequent discovery of violations.
- c. Certificates are valid for 6 months from the date of issue unless a change in occupancy has occurred, and must be renewed for each occupancy change.

SECTION 2. Repealer.

All ordinances and resolutions or parts thereof which are inconsistent with this ordinance are repealed.

SECTION 3. Severability.

If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared severable.

SECTION 4. Effective date.

This ordinance shall take effect immediately upon final adoption and publication according to the law of the State of New Jersey.

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

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

The Public Hearing was scheduled for October 15, 2012 at 8:00 p.m.

NEW BUSINESS

1. ***An Ordinance Amending a Portion of Chapter 112 of the Code of the Township of Readington, County of Hunterdon and State of New Jersey Pertaining to Emergency Services Agency Members***

Mayor Auriemma stated that this amended ordinance allows the Chief of Police the right to grant temporary approval to a new emergency services volunteer due to the fact that at times it takes the State months to return the investigatory report. Mrs. Muir opined that this should only be done upon the initial application of those desiring membership and suggested amending the ordinance to read: *Under Section 112-1 Definitions: desiring initial membership.* Attorney Dragan also suggested changing the language *Under Section 112-2 Application Required:* to read *applicant* rather than *individual* since the term has already been defined in the previous section.

The following ordinance was offered for introduction:

AN ORDINANCE AMENDING A PORTION OF CHAPTER 112 OF THE CODE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY PERTAINING TO EMERGENCY SERVICES AGENCY MEMBERS

ORDINANCE # 23-2012

BE IT ENACTED AND ORDAINED by the Township Committee of the Township of Readington, in the County of Hunterdon, State of New Jersey that the following amendments shall be made to Chapter 112 of the Code of the Township of Readington, entitled “Emergency Services”. Additions are indicated **thus** and deletions are indicated [**thus**].

SECTION 1. Article I entitled “Disclosure of Information for Membership” shall be amended as follows:

Sec. 112-1 Definitions.

As used in this Ordinance:

“Applicant” means an individual, of 18 years or older, desiring initial membership in an emergency services agency in Readington Township.

“Readington Township Emergency Services Agency” means A. any of the fire companies which comprise the Readington Township Fire Department as set forth in Chapter 21 of the Readington Township Code; or B. the Whitehouse Volunteer Rescue Squad or any other rescue squad established in the Township of Readington.

“Township” means the Township of Readington.

Sec. 112-2 Application required.

Any applicant desiring membership in a Readington Township Emergency Services Agency must complete and file with the same agency a Township-prescribed form containing, among other things, the following information about the applicant:

- A. Name
- B. Home address
- C. Birth date
- D. Social Security number
- E. Driver’s License number
- F. A signed statement certifying as to whether or not the applicant has been convicted of any of the following crimes or offenses:
 - (1) In New Jersey, any crime or disorderly persons offense:
 - a) Involving danger to the person, meaning those crimes and disorderly offenses set forth in N.J.S.A. 2C:11-1 et seq.; N.J.S.A. 2C:12-1 et seq.; N.J.S.A. 2C:13-1 et seq.; N.J.S.A. 2C:14-1 et seq.; or N.J.S.A. 2C:15-1 et seq.;
 - b) Against the family, children, or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:24-1 et seq.;
 - c) Involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes; or
 - d) Involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes, except paragraph (4) of Subsection a of N.J.S.A. 2C:35-10; or
 - (2) In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described above.

Ordinance #23-2012 cont'd:

Sec. 112-3 Transmission of application to Chief of Police; investigation and report required.

Following the filing of the application referred to above, the Emergency Service Agency shall transmit a copy of the application to the Readington Township Chief of Police, or his/her designee, who shall conduct an investigation to ascertain the truth of statements made by the applicant in his/her application and any such other investigation of the applicant's background as he/she may deem necessary for the protection of the public health, safety and welfare. If, as a result of such investigation, the applicant is found to have been convicted of any violation, crime or offense as set forth above in Section 112-2, or any other information is discovered that would indicate that the applicant may be a threat to the health, safety or welfare of the community, the Chief of Police, or his/her designee, shall report such information to the head of the applicable Readington Emergency Services Agency, and the applicant shall not be eligible for the membership in that or any other emergency services agencies included in this article.

Sec. 112-4 Fingerprinting.

In connection with said investigation, the applicant shall submit to fingerprinting, and the Chief of Police, or his/her designee, is authorized to submit the applicant's fingerprint card and obtain history record information from the Division of State Police/State Bureau of Identification for use in determining the suitability of all applicants governed by this Article.

Sec. 112-5 Time Limit for investigation.

The above investigation by the Chief of Police, or his/her designee shall be completed within 60 days of receipt of the application and fingerprinting of the applicant. At the discretion of the Chief of Police, temporary approval may be given to any applicant while in the process of the background investigation. The Chief of Police may revoke the temporary approval of membership should the completed investigation disclose the applicant's membership is prohibited as provided in Sec. 112-3 above.

Sec. 112-6 Notification of arrest.

Any member of a Readington Emergency Services Agency who is arrested in any jurisdiction, is required to notify the head of their organization as soon as possible, but not later than 72 hours after the arrest occurs.

Sec. 112-7 Notification of loss of license.

Any member of a Readington Emergency Service Agency who loses their N.J. driver's license, is required to notify the head of their organization, as soon as possible, but not later than 72 hours after the arrest occurs.

Sec. 112-8 Driving Prohibition.

Members shall not drink any kind of intoxicating beverage or consume any illegal narcotics, or narcotics contrary to the directions of their prescriptions, before/or at any time during the operation of any Township vehicle or apparatus.

Sec. 112-9 Violations.

Any person who violates the provisions of this ordinance shall, upon conviction, be subject to a fine not exceeding \$1,000, the imprisonment for a term not exceeding 90 days and/or a period of community service not exceeding 90 days.

SECTION 2. This ordinance supersedes any ordinances, sections or portion(s) of Ch. 112 of the Readington Township Code or any other Township ordinance or portion of the Code inconsistent herewith.

Ordinance #23-2012 cont'd:

SECTION 3. All other language contained in Chapter 112 of the Readington Township Code not specifically changed by this ordinance amendment shall remain in full force and effect.

SECTION 4. If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 5. This ordinance shall take effect immediately upon final passage and publication in accordance with law.

A **MOTION** was made by Mrs. Muir to introduce this ordinance, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

The Public Hearing was scheduled for October 15, 2012 at 8:00 p.m.

2. **Acceptance of Performance Guarantee** (Fallone – Readington Woods / Major Subdivision) Block 31, Lot 37

Engineer O'Brien stated that the performance bond is consistent with estimate that was reviewed and approved.

A **MOTION** was made by Mrs. Fort to accept the Performance Guarantee, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

3. **Release of Performance Bond / Maintenance Guarantee**
(Ferreira Construction) Block 39, Lot 53.14 (2 Commerce Street) \$5,264.00
Block 39, Lot 61.04 (31 Tannery Road) \$3,801.00 & \$9,486.03

Engineer O'Brien stated that the inspections were completed and recommended the release of the bonds.

The following resolution was offered for consideration:

#R-2012-110

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Ferreira Construction Co., Inc. did on April 30, 2012 file a written request with the Township of Readington for a release of the remainder in Cash Performance Guarantee Check #30154 in the amount of \$8,227.50 for work completed on Block 39, Lot 61.04; and

WHEREAS, the Township Engineer has confirmed that the work has been completed by Ferreira Construction Co., Inc. on said property; and

Resolution #R-2012-110 cont'd:

WHEREAS, in accordance with the Municipal Land Use Law the Township may retain up to 30% of a Performance Bond to assure the completion of site work;

WHEREAS, the Township Engineer has recommended the release of the balance of the Cash Performance Guarantee Check #30154, as indicated in his letter of September 26, 2012 based upon the Municipal Land Use Law;

CHECK OR BOND	ORIGINAL BONDED AMOUNT @120%	CURRENT REMAINING PERFORMANCE GUARANTEE	RECOMMENDED REDUCTIONS FOR WORK COMPLETED	REMAINING PERFORMANCE GUARANTEE @ 120%
Check # 30154	\$32,910.00	\$8,227.50	100%	\$0
TOTAL	\$32,910.00	\$8,227.50	100%	\$0

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that authorization is hereby given to release the remainder of the Cash Performance Guarantee Check # 30154, as recommended by the Township Engineer; and

BE IT FURTHER RESOLVED, that authorization is given to the Township Clerk to forward copies of this Resolution approving these reduced amounts to the applicant.

A MOTION was made by Mrs. Allen to adopt this resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

A MOTION was made by Mrs. Fort to release the Maintenance Bond in the amount of \$5,250 for Block 39, Lot 53.14, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

MOTION was made by Mrs. Fort to release the Maintenance Bond in the amount of \$3,801 for Block 39, Lot 61.04, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

4. **Release of Performance Bond / Escrow** (St. Elizabeth Ann Seton Church)
 Block 95, Lot 15 \$9,515.00 / \$128.00

Engineer O'Brien stated that this bond was to cover off-site drainage work on Summer Road which is now complete and recommended the release of the performance bond and remaining escrow.

The following resolution was offered for consideration:

#R-2012-111

**TOWNSHIP OF READINGTON
 RESOLUTION**

WHEREAS, Saint Elizabeth Ann Seton Church did on August 27, 2012 file a written request with the Township of Readington for a release of Performance Bond Guarantee # 6563 in the amount of \$9,126.00 for work completed on Block 95, Lot 15; and

WHEREAS, the Township Engineer has confirmed that a certain amount of work has been done by Saint Elizabeth Ann Seton Church on said property; and

WHEREAS, in accordance with the Municipal Land Use Law the Township may retain up to 30% of a Performance Bond to assure the completion of site work;

WHEREAS, the Township Engineer has released the Performance Bond Guarantee #6563 as indicated in his letter of September 26, 2012 based upon the Municipal Land Use Law requirement:

BOND OR CHECK	ORIGINAL BONDED AMOUNT @120%	CURRENT REMAINING PERFORMANCE GUARANTEE	RECOMMENDED REDUCTION FOR WORK COMPLETED	REMAINING PEFORMANCE GUARANTEE @ 120%
Check # 6563	\$9,126.00	\$9,126.00	100%	\$0
TOTAL	\$9,126.00	\$9,126.00	100%	\$0

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that authorization is hereby given to release Cash Performance Bond #6563, as recommended by the Township Engineer; and

BE IT FURTHER RESOLVED, that authorization is given to the Township Clerk to forward copies of this Resolution approving these reduced amounts to the applicant.

A MOTION was made by Mrs. Allen to adopt this resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

- * 5. **Social Affairs Permit** (Whitehouse American Legion / October 13, 2012)

This matter was addressed under the Consent Agenda.

- * 6. **Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Summer Road - Section II Project**

This matter was addressed under the Consent Agenda.

* 7. ***Resolution Authorizing Disposal of Surplus Property***

This matter was addressed under the Consent Agenda.

* 8. ***Resolution Authorizing Educational Service Commission Cooperative Purchase***

This matter was addressed under the Consent Agenda.

* 9. ***Release of Police Escrow*** (Communications Construction - \$103.37)

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported that a letter was received from Green Acres stating the Township was granted \$325,000 under our Planning Incentive Grant.

ATTORNEY'S REPORT

Attorney Dragan reported that the Governor signed another amendment to the Permit Extension Act to specifically include sewer agreements.

ENGINEER'S REPORT

Engineer O'Brien reported he is working with Fallon to get the work completed on Buckingham Estates. Engineer O'Brien also reported that Fallon has begun work on Renaissance at Readington.

COMMITTEE REPORTS

Thomas Auriemma

Mayor Auriemma stated that he had nothing further to report.

Julia Allen

Mrs. Allen reported that the seventh graders are participating in the Walk in the Woods this week. Mrs. Allen further reported that this Saturday the Open Space Committee organized a Tree Planting Day at the Dobozyński Farm Park.

Betty Ann Fort

Mrs. Fort reported that she donated *the Images of America – Readington Township* book to the Ryland Inn welcoming them to Readington Township on behalf of the Township Committee, Historic Preservation Commission and Museum Committee.

Mrs. Fort reported that an Open House is being held at Cole Brook School this Sunday.

Mrs. Fort also reported that the Museum Committee will be meeting with Dr. Barbara Sargeant and Kerri Megan to see what the status of the school programs are going forward.

Mrs. Fort stated that they are working diligently to get the drainage work done on Foothill Road.

Frank Gatti

Mr. Gatti stated that he had nothing to further to report.

Beatrice Muir

Mrs. Muir stated that she had nothing further to report.

COMMENTS FROM THE PUBLIC

There were none.

COMMENTS FROM THE GOVERNING BODY

Mrs. Muir stated that at the intersection of 523 and Barley Sheaf Road there are two mounds of dirt on private property overgrown with vegetation which are blocking the sight view and requested that Engineer O'Brien look into this.

Mrs. Fort reminded everyone that the Township is having a Public Information Meeting with JCP&L on Wednesday, October 10th at 7:00 p.m. at the Municipal Building.

As there was no further business, A ***MOTION*** was made by Mrs. Fort at 8:05 p.m. to adjourn the meeting, seconded by Mrs. Allen with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/QPA
Municipal Clerk