

**READINGTON TOWNSHIP COMMITTEE
MEETING – January 20, 2015**

Mayor Fort *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 B. Fort, Deputy Mayor T. Auriemma, Mr. J. Broten, Mrs. M. Duffy
Mr. S. Tropello

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>
Municipal Court.....	Personnel.....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Construction Code Office.....	Personnel.....	“ “ “
Professional Services.....	Contract Negotiations.....	“ “ “
♦ Sharon A. Dragan, Esq. (Township Attorney)		
♦ Lerch, Vinci & Higgins, LLP (Township Auditors)		
♦ McManimon & Scotland (Bond Counsel)		
♦ Martin Allen, Esq. (Tax Appeal Attorney)		
♦ Fisher & Phillips LLP (Labor Attorney)		
♦ Wolff & Samson PC (Special Counsel)		
♦ Richard Cushing, Esq. / Gebhardt & Kiefer (Special Counsel)		
♦ Robert A. Ballard, Jr. Esq. (Prosecutor)		
♦ Scott Mitzner, Esq. (Public Defender)		
♦ Anthony M. Rotunno, Esq. (Alternate Public Defender)		
♦ Hatch Mott MacDonald (Township Engineer)		
♦ Clarke♦Caton♦ Hintz (Township Planners)		
♦ AEIS (Inspection Svcs. for Lake Cushetunk Dam)		
♦ Princeton Public Affairs Group (Governmental Relations Matters)		

Lorenzen (Block 44, Lot 4.02).....Contract Negotiations.....	“	“	“
Shared Service Agreement..... Contract Negotiations..... Lebanon Borough Sewer Authority	“	“	“
Shared Services Agreement..... Contract Negotiations..... Board of Education	“	“	“
Executive Session Minutes..... Attorney-Client Privilege..... • December 22, 2015	“	“	“
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 Mr. Auriemma to adopt this resolution, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:50 p.m.

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

Executive Session:

Personnel / Municipal Court

A **MOTION** was made by Mr. Auriemma to terminate Meghan Kreger, Violations Clerk, effective January 30, 2015, seconded by Mr. Broten and on Roll Call vote the following was recorded:

- Mr. Auriemma - Aye
- Mr. Broten - Aye
- Mrs. Duffy - Aye
- Mr. Tropello - Aye
- Mayor Fort - Aye

Personnel / Construction Code Office

A **MOTION** was made by Mr. Auriemma to hire Benjamin Farneski as interim part-time plumbing inspector at a rate of \$34 per hour for three (3) days per week, not to exceed four (4) hours per day, seconded by Mr. Broten and on Roll Call vote the following was recorded:

- Mr. Auriemma - Aye
- Mr. Broten - Aye
- Mrs. Duffy - Aye
- Mr. Tropello - Aye
- Mayor Fort - Aye

A **MOTION** was made by Mr. Broten to hire Michael Wright as acting Plumbing Sub-Code Official for a period of thirty (30) days at his current rate, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye
Mr. Broten - Aye
Mrs. Duffy -Aye
Mr. Tropello - Aye
Mayor Fort - Aye

Contract Negotiations / Professional Services / Lerch, Vinci & Higgins, LLP

The following resolution was offered for consideration:

#R-2015-13

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
MUNICIPAL AUDITOR SERVICES***

WHEREAS, the Township of Readington has a need to acquire Municipal Auditing Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Lerch, Vinci & Higgins, LLP has submitted a proposal indicating they will provide Municipal Auditor Services at an annual rate of \$35,000.00.

WHEREAS, Lerch, Vinci & Higgins, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Lerch, Vinci & Higgins, LLP has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Lerch, Vinci & Higgins, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Lerch, Vinci & Higgins, LLP as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mr. Auriemma to adopt this Resolution, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

Contract Negotiations / Professional Services / Sharon A. Dragan, Esq.

The following resolution was offered for consideration:

#R-2015-14

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR TOWNSHIP ATTORNEY SERVICES

WHEREAS, the Township of Readington has a need to acquire Township Attorney Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Sharon A. Dragan, Esq. has submitted a proposal indicating she will act as Township Attorney at an annual rate of \$104,400 based on an estimated average of 70-75 hours per month at \$120.00 per hour.

WHEREAS, Sharon A. Dragan, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Sharon A. Dragan, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Sharon A. Dragan, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Sharon A. Dragan, Esq. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mrs. Duffy to adopt this Resolution, seconded by Mr. Broten and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye
Mr. Broten - Aye
Mrs. Duffy - Aye
Mr. Tropello - Aye
Mayor Fort - Aye

Contract Negotiations / Professional Services / McManimon & Scotland

The following resolution was offered for consideration:

#R-2015-15

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
BOND ATTORNEY SERVICES***

WHEREAS, the Township of Readington has a need to acquire Bond Attorney Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, McManimon & Scotland, L.L.C. has submitted a proposal indicating they will provide Bond Attorney Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, McManimon & Scotland, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that McManimon & Scotland, L.L.C. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit McManimon & Scotland, L.L.C. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with McManimon & Scotland, L.L.C. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mrs. Duffy to adopt this Resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

Contract Negotiations / Professional Services / Martin Allen, Esq.

The following resolution was offered for consideration:

#R-2015-16

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
TAX ATTORNEY/BANKRUPTCY SERVICES***

WHEREAS, the Township of Readington has a need to acquire Tax Attorney/Bankruptcy Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Martin Allen, Esq. has submitted a proposal indicating he will provide Tax Attorney/Bankruptcy Services at a rate of \$140 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted 2015 budget.

WHEREAS, Martin Allen, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Martin Allen, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Martin Allen, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Martin Allen, Esq. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mr. Auriemma to adopt this Resolution, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

Contract Negotiations / Professional Services / Fisher & Phillips LLP

The following resolution was offered for consideration:

#R-2015-17

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LABOR COUNSEL SERVICES***

WHEREAS, the Township of Readington has a need to acquire Labor Counsel Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Fisher & Phillips, LLP has submitted a proposal indicating they will provide Labor Counsel Services for rates as follows:

- Partner-Level Attorney - \$315.00 per hour.
- Senior Associate - \$240.00 per hour.
- Junior Associate - \$190.00 per hour

for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Fisher & Phillips, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Fisher & Phillips, LLP has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Fisher & Phillips, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Fisher & Phillips, LLP as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mr. Broten to adopt this Resolution, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye
Mr. Broten - Aye
Mrs. Duffy - Aye
Mr. Tropello - Aye
Mayor Fort - Aye

Contract Negotiations / Professional Services / Wolff & Samson LLC

The following resolution was offered for consideration:

#R-2015-18

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LEGAL SERVICES***

WHEREAS, the Township of Readington has a need to acquire Legal Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Wolff & Samson PC has submitted a proposal indicating they will represent the Township, under the direction of the Township Committee, in matters pertaining to the potential acquisition of Solberg Airport; and will perform all usual and customary legal services incident to such representation, and take ordinary measures required for the acquisition of this site, whether voluntary or otherwise, at a rate of \$375 per hour for Partners and \$315 per hour for Associates, not to exceed the amount appropriated for this service in the approved/ adopted budget. In addition, Wolff & Samson PC shall retain all vendors or consultants necessary for such acquisition and shall pay all invoices and will be reimbursed for payments made upon submission of receipts.

WHEREAS, Wolff & Samson PC has completed and submitted a Business Entity Disclosure Certification which certifies that Wolff & Samson PC has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Wolff & Samson PC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Wolff & Samson PC as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mr. Auriemma to adopt this Resolution, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye
Mr. Broten - Aye
Mrs. Duffy - Aye
Mr. Tropello - Aye
Mayor Fort - Aye

Contract Negotiations / Professional Services / Richard Cushing, Esq.

The following resolution was offered for consideration:

#R-2015-19

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
SPECIAL COUNSEL SERVICES***

WHEREAS, the Township of Readington has a need to acquire Special Counsel Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC, has submitted a Proposal indicating he will provide Special Counsel Services to represent, Thomas Auriemma, John Broten, M. Elizabeth Duffy, Betty Ann Fort and Samuel Tropello in certain litigation at a rate of \$200 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC, has completed and submitted a Business Entity Disclosure Certification which certifies that neither Richard P. Cushing, Esq. of Gebhardt & Kiefer, or it’s subsidiaries has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Richard P. Cushing, Esq. of Gebhardt & Kiefer, or it’s subsidiaries, from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC, as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mrs. Duffy to adopt this Resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

Contract Negotiations / Professional Services / Robert A. Ballard, Jr., Esq.

The following resolution was offered for consideration:

#R-2015-20

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR MUNICIPAL PROSECUTOR SERVICES***

WHEREAS, the Township of Readington has a need to acquire Municipal Prosecutor services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Robert A. Ballard, Jr., Esq. has submitted a proposal indicating he will provide Municipal Prosecutor services for \$150 per hour and non-prosecutorial litigation services for \$190 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Robert A. Ballard, Jr., Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Robert A. Ballard, Jr., Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Robert A. Ballard, Jr., Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Robert A. Ballard, Jr., Esq. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mr. Auriemma to adopt this Resolution, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye
Mr. Broten - Aye
Mrs. Duffy - Aye
Mr. Tropello - Aye
Mayor Fort - Aye

Contract Negotiations / Professional Services / Scott Mitzner, Esq.

The following resolution was offered for consideration:

#R-2015-21

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
MUNICIPAL PUBLIC DEFENDER SERVICES***

WHEREAS, the Township of Readington has a need to acquire Municipal Public Defender Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Scott Mitzner, Esq. has submitted a proposal indicating he will provide Municipal Public Defender Services at a rate of \$105 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted 2015 budget.

WHEREAS, Scott Mitzner, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Scott Mitzner, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Scott Mitzner, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Scott Mitzner, Esq. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mr. Broten to adopt this Resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye
Mr. Broten - Aye
Mrs. Duffy - Aye
Mr. Tropello - Aye
Mayor Fort - Aye

Contract Negotiations / Professional Services / Anthony Rotunno, Esq.

The following resolution was offered for consideration:

#R-2015-22

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
ALTERNATE MUNICIPAL PUBLIC DEFENDER SERVICES***

WHEREAS, the Township of Readington has a need to acquire Alternate Municipal Public Defender Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Anthony M. Rotunno, Esq. of Kuchinsky and Rotunno, PC. has submitted a proposal indicating he will provide Alternate Municipal Public Defender Services at a rate of \$95 per hour; and

WHEREAS, Anthony M. Rotunno, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Anthony M. Rotunno, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Anthony M. Rotunno, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Anthony M. Rotunno, Esq. described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mr. Auriemma to adopt this Resolution, seconded by Mr. Broten and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye
Mr. Broten - Aye
Mrs. Duffy - Aye
Mr. Tropello - Aye
Mayor Fort - Aye

Contract Negotiations / Professional Services / Hatch Mott MacDonald

The following resolution was offered for consideration:

#R-2015-23

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL, ENGINEERING AND PROFESSIONAL LAND SURVEYING SERVICES

WHEREAS, the Township of Readington has a need to acquire Professional Engineering and Professional Land Surveying Services as a non-fair and open contract pursuant to the provision of *N.J.S.A. 19:44a-20.5* and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19.44A-20.5 et seq.* or in *N.J.S.A. 19.44a-8, et. seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Hatch, Mott and MacDonald, LLC, has submitted a proposal indicating they will provide Professional Engineering and Professional Land Surveying Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Hatch, Mott and MacDonald, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch, Mott and MacDonald, LLC has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Hatch, Mott and MacDonald, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file – *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Hatch, Mott and MacDonald, LLC as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mr. Auriemma to adopt this Resolution, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

Contract Negotiations / Professional Services / Clarke•Caton•Hintz

The following resolution was offered for consideration:

#R-2015-24

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL PLANNING AND LANDSCAPE ARCHITECTURAL SERVICES

WHEREAS, the Township of Readington has a need to acquire Professional Planning and Landscape Architectural Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Clarke•Caton•Hintz has submitted a proposal indicating they will provide Professional Planning and Landscape Architectural Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted 2015 budget.

WHEREAS, Clarke•Caton•Hintz has completed and submitted a Business Entity Disclosure Certification which certifies that Clarke•Caton•Hintz has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Clarke•Caton•Hintz from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Clarke•Caton•Hintz as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mrs. Duffy to adopt this Resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

Contract Negotiations / Professional Services / AEIS

The following resolution was offered for consideration:

#R-2015-25

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR INSPECTION SERVICES FOR THE LAKE CUSHETUNK DAM

WHEREAS, there exists a need in the Township of Readington for Professional Services; and

WHEREAS, The Local Public Contract Law (*N.J.S.A.40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services with competitive bids must be publicly advertised.

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - (*N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2015 budget.

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

1. That the following contract has been awarded without competitive bidding as a “Professional Service” in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:

- AEIS (Advanced Engineering & Inspection Services) for inspection services for the Lake Cushetunk Dam at a cost of \$17,300.00

2. Said contract shall expire on December 31, 2015.

3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.

4. This Resolution shall take effect immediately.

A **MOTION** was made by Mr. Auriemma to adopt this Resolution, seconded by Mr. Broten and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

Contract Negotiations / Professional Services / Princeton Public Affairs Group

The following resolution was offered for consideration:

#R-2015-26

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, there exists a need in the Township of Readington for Professional Services; and

WHEREAS, the Local Public Contract Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services without competitive bids must be publicly advertised.

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

1. That the following contract has been awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1) (a)* of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:
 - Princeton Public Affairs Group (PPAG) to represent the Township on all governmental relations matters relating to the Township's legislative and regulatory matters at a rate of \$250 per hour not to exceed \$5,000.
2. Said contract shall expire on January 31, 2016.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
4. This Resolution shall take effect immediately.

A MOTION was made by Mr. Auriemma to adopt this Resolution, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

Contract Negotiations/ Lorenzen (Block 44, Lot 4.02)

Mayor Fort stated that this matter remains in Executive Session.

Contract Negotiations / Shared Service Agreement / Lebanon Borough Sewer Authority

A MOTION was made by Mr. Auriemma to approve the contract with Lebanon Borough Sewer Authority for emergency repairs to the system within the RLSA, seconded by Mr. Tropello and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

Contract Negotiations / Shared Services / Readington Township Board of Education

A ***MOTION*** was made by Mr. Broten to authorize Administrator Mekovetz to draft a letter to the Board of Education stating the Township supports the additional hours; however, the funding should remain in the school’s budget, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

- Mr. Auriemma - Aye
- Mr. Broten - Aye
- Mrs. Duffy -Aye
- Mr. Tropello - Aye
- Mayor Fort - Aye

Attorney-Client Privilege / Executive Session Minutes / December 22, 2014

A ***MOTION*** was made by Mr. Auriemma to approve the Executive Session Minutes of December 22, 2014 for content only, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

- Mr. Auriemma - Aye
- Mr. Broten - Abstain
- Mrs. Duffy -Aye
- Mr. Tropello - Abstain
- Mayor Fort - Aye

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 Fort stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Fort 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 December 22, 2014 / January 5, 2015
- * 2. ***Sewer Overpayments***

The following resolution was offered for consideration:

READINGTON TOWNSHIP

HUNTERDON COUNTY, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, there exist several sewer overpayments from 2014, and

WHEREAS, the Sewer Collector desires to apply the following overpayments to the amounts due for 2015 prior to the printing and mailing of the sewer bills:

2014 Sewer Overpayment Resolution cont'd:

<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
4	42	\$ 110.61
5	6	208.92
13	32	5.93
13	45	322.48
17	19	7.80
21.01	14	15.03
21.01	95	19.02
21.04	507.03	99.90
21.04	507.10	34.76
21.06	507.02	55.00
21.11	16	5.48
21.13	5	5.08
22	40.12 C03	110.00
22	60	17.80
22	65	105.00
22	66	230.73
29	5	30.00
30	13	33.67
30.01	8	110.68
34	36.039	105.01
34	36.045	85.00
34	36.064	40.00
34	36.087	10.00
34	36.140	8.76
34	36.147	330.00
35	33	110.78
36	2.01	10.00
36	154	35.41
36	186	57.01
37.01	1	29.95
93	57	14.19
95	12.115	5.44
95	12.182	7.85
95	12.226	5.51
95	12.235	125.59
95	12.307	225.82
95	12.331	5.44

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington that the Sewer Collector is hereby authorized to apply the above-referenced 2014 sewer overpayments to 2015 sewer fees receivable.

* 3. **Tax Lien Redemption**

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 53, Lot 7.10 and,

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

Tax Lien Redemption Resolution cont'd:

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$30,985.36, plus a premium paid in the amount of \$83,100.00, known as Tax Sale Certificate #2014-015, to the lienholder, BV001 Trust.

* 4. ***Tax Lien Redemption***

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 95, Lot 12.109 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 \$4,875.54, plus a premium paid in the amount of \$12,000.00, known as Tax Sale Certificate #2014-027, to the lienholder, FWDSL & Associates, LP.

* 6. ***PAIC Renewal Membership***

The following resolution was offered for consideration:

#R-2015-27

PUBLIC ALLIANCE INSURANCE COVERAGE FUND RESOLUTION FOR RENEWAL MEMBERSHIP

WHEREAS, the Township of Readington, hereafter referred to as “**Public Entity**,” is a member of the Public Alliance Insurance Coverage Fund, hereinafter referred to as “**Fund**”; and

WHEREAS, said renewal membership terminates as of January 1, 2015 at 12:01 a.m. standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

WHEREAS, the **Public Entity** is afforded the following types of coverages:

- Workers’ Compensation
- Package (property, boiler & machinery, crime, auto & general liability; including Police Professional)
- Public Officials Liability
- Excess Liability: Auto & General Liability (including Police Professional)
Public Officials Liability
- Environmental Impairment Liability

WHEREAS, the **Public Entity** desires to renew said membership.

NOW THEREFORE, BE IT RESOLVED, as follows:

Resolution #R-2015-27 cont'd:

1. The **Public Entity** agrees to renew its membership in the **Fund** for a period of three (3) years beginning January 1, 2015 and ending January 1, 2018 at 12:01 a.m. eastern standard time and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently existing or as from time to time amended by the **Fund** and/or the Department of Banking and Insurance.
2. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage Fund the **Public Entity** must purchase all types of coverages offered by the Fund that are applicable to the **Public Entity**.
3. The **Public Entity** hereby appoints Vita Mekovetz, Administrator/Municipal Clerk, as the **Public Entity's** Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver the same to the **Fund the Public Entity's** renewal of its membership.

* 7. ***Resolution to Authorize Public Sale/Auction of ECHO Unit Situated at 402 Route 523 North (Block 42, Lot 1)***

The following resolution was offered for consideration:

#R-2015-28

***TOWNSHIP OF READINGTON
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY***

WHEREAS, the Township of Readington ("Township") is the owner of a certain small (24' x 30') modular residential structure known as an Elder Cottage Housing Opportunity ("ECHO") unit that was acquired for the purposes of providing affordable rental housing for senior citizens as part of the Township's affordable housing program approved by COAH; and

WHEREAS, the aforementioned ECHO unit has been in service since 1993 (more than 20 years) and, during the course of its service, it has been moved to several different property locations where it was rented to several different tenants; and

WHEREAS, The Township's most recent lease with tenants Leslie and Adele Ruppert and landowners Joel and Jeanne Kerwin, expired due to the deaths of both tenants, and the unit is still situated at the Kerwin property at 402 Route 523 North (Block 42, Lot 1) in Whitehouse Station; and

WHEREAS, the aforementioned lease requires that the Township move the unit to another location upon expiration, however, due to past experience with this and other ECHO units, the Township believes it would be cost-prohibitive to move this unit and that it would, further, damage the structure of the building due to its age; and

WHEREAS, the Township has determined that the ECHO unit is no longer needed for public use as the Township will obtain COAH credit via alternate means;

WHEREAS, the current landowners have requested to retain the ECHO unit on their property;

WHEREAS, N.J.S.A. 40A:12-13 prescribes the methods by which a municipality may sell municipally-owned real, personal property or capital improvements not needed for public use and it appears, after review, that in this case, the Township, prior to any other method, must advertise the ECHO unit for sale for not less than market value.

Resolution #R-2015-28 cont'd:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. The Township Committee finds that the 20' x 30'ECHO modular structure located on the Kerwin property is not otherwise needed for public use and authorizes it to be offered for public sale under the following minimum criteria:
 - a) The minimum price shall be \$500.
 - b) The purchase price shall be paid in cash, certified or bank cashier's check at the close of the auction.
 - c) The successful bidder shall be responsible for removing the ECHO modular structure from its current location, to bidder's location at bidder's own cost and expense with 14 days of the sale.
 - d) The Township makes no guarantees about the condition of the property or its structural fitness for use; it shall be sold in its "whereas" and "as is" condition.
 - e) If purchased for use and location on a residential property in Readington Township containing principal dwelling unit, the former ECHO unit may only be used as an accessory structure to the principal use; it shall not be used or rentable as a separate resident for non-family members and may not contain a stove. The successful bidder shall be responsible for obtaining any permits or approvals required to locate the structure on its own property. Once the principal dwelling is listed for sale, the modular structure shall be removed unless the owner applies for and obtains a variance allowing it to stay.
 - f) A deed restriction shall be placed on any property reflecting the conditions in "e" above.
 - g) The successful bidder shall be required to sign a contract and will receive a bill of sale for the property being purchased at auction/public sale.
2. These auction terms are contingent on the Township ability to obtain permission from the Kerwins to permit the ECHO unit to remain on their property at 402 Route 523 North, Whitehouse Station during the auction. If they do not agree to same, then the Township shall remove the unit and may proceed to sell it by auction or public sale in the usual manner.
3. Prior to the auction, the Township shall coordinate and arrange with the property owners at least two (2) dates for potential bidders to inspect the property.
4. In accordance with the provisions of N.J.S.A. 40 A:12-13(a) et seq., the Township Administrator/Clerk or his designee and Township Attorney are authorized and directed to prepare a bid specification package for auction/public sale at a time, date and place deemed appropriate and necessary the sale of the property described herein, to be sold in accordance with the minimum terms listed above.
- * 8. **Discharge of Affordable Housing Agreement / Discharge of Mortgage**
Vergalito (705 Well Sweep Road / Block 21.04, Lot 507.02)
- * 9. **Discharge of Affordable Housing Agreement / Discharge of Mortgage**
Gulick (117 Dove Cote Court / Block 21.06, Lot 201.09)
- * 10. **Discharge of Affordable Housing Agreement / Discharge of Mortgage**
Clark (218 Dove Cote Court / Block 21.06, Lot 302.09)
- * 11. **Release of Board of Health Escrow** - Fontaine (110 Dreahook Road, Block 50, Lot 38)
- * 12. **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	4-01	\$ 156,420.35
SEWER APPROPRIATIONS	4-02	\$ 4,349.90
CURRENT FUND	5-01	\$1,748,223.31
SEWER APPROPRIATIONS	5-02	\$ 100,766.00
TRUST FUNDS	X-03	\$ 67,402.94
MISC REFUND, COUNTY TAX, LIENS	X-05	\$1,154,361.86
PAYROLL DEDUCTIONS	X-06	\$ 265,775.48
REG. & LOCAL SCHOOL TAX	X-07	\$5,453,454.00
DUE TO STATE OF NJ	X-09	\$ 19,604.44
CAPITAL	X-11	\$ 1,532.08
CAPITAL	X-14	\$ 549,633.03
CAPITAL	X-66	\$ 26,231.85
TOTAL OF ALL FUNDS		\$9,547,755.24

A **MOTION** was made by Mr. Auriemma to approve the Consent Agenda, seconded by Mr. Broten and on Roll Call vote the following was recorded:

- Mr. Auriemma - Aye
- Mr. Broten - Aye
- Mrs. Duffy -Aye
- Mr. Tropello - Aye
- Mayor Fort - Aye

COMMENTS FROM THE PUBLIC for items listed on the agenda only

Donald Baldwin, Morning Star Road, questioned why the Township needed to sign a contract with a Public Relations firm. Mr. Baldwin also asked the criteria to determine what appears as correspondence on the agenda.

Suzanne Solberg Nagle, High Ridge Court, asked if there was a cap limitation as to what Princeton Public Affairs Group may charge.

CORRESPONDENCE / OTHER INFORMATION

1. Notice to Public Service Electric and Gas Company Electric and Gas Customers from Martin C. Rothfelder, Associate General Regulatory Counsel regarding *The matter of the Petition of Public Service Electric and Gas Company to modify its manufactured Gas Plant (MGP) remediation component with its Electric Societal Benefits Charge (SBC) and its Gas (SBC); for a board order finding that its MGP remediation work performed during the Remediation Adjustment Charge (RAC) 22 period, August 1, 2013 to July 31, 2014 was prudent; that the resulting RAC 22 costs are reasonable and available for recovery and to make changes in the tariff for electric service B.P.U.N.J. No. 15 and to make changes in the tariff for gas service B/P/U.N.J. No. 15, pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1.* No action taken.
2. Resolution from East Amwell Township dated December 11, 2014 regarding *Opposition to the Proposed PennEast Pipeline.* No action taken.
3. Memorandum dated December 18, 2014 from Denise Doolan, Clerk of the Hunterdon County Board of Chosen Freeholders, regarding *Resolution to urge the State of NJ to reauthorize the Transportation Trust Fund to address the needs of New Jersey’s counties and municipalities.* No action taken.

4. Letter dated January 6, 2015 from Mark Mader, Director, Rates & Regulatory Affairs, Jersey Central Power & Light regarding *The Matter of Provision of Basic Generation Service for the period beginning June 1, 2015 BPU Docket No. ER14040370*. No action taken.

NEW BUSINESS

1. **Request to Connect to the Sewer System (Whitehouse Plaza / Block 14, Lot 49)** - memorandum dated December 23, 2014 from Karin Parker, Sewer Advisory Committee Secretary

Engineer O'Brien stated that the Sewer Advisory Committee received a petition from WalMart to connect into the sewer system due to their failing septic system. Engineer O'Brien explained that the request was for 12,000 gallons for the existing building and an additional 3,000 gallons was requested for the proposed future expansion of WalMart.

The following resolution was offered for consideration:

#R-2015-29

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, National Realty & Development Corp./Readington Holdings, L.P. (hereinafter "Applicant") made application to the Readington Township Sewer Advisory Committee ("Sewer Advisory Committee") seeking its favorable recommendation for sewer allocation and connection approval to address a failing sewerage system located at its Property known as Block 14, Lot 49 on the official tax map of Readington Township (having a physical address of 3576 Route 22 West), which Property is also referred to as "Whitehouse Plaza" upon which is located an existing Walmart retail store, as the sole tenant (hereinafter referred to as "Walmart"); and

WHEREAS, in addition to gallonage to address its failing system, the Applicant also requested additional gallonage to accommodate a 30,000 sq. foot expansion of the existing retail building;

WHEREAS, based upon the information provided by the Applicant and reviewed by the Township Engineer as set forth in his memo dated December 4, 2014, it was established that both the property containing the current building and the proposed expansion area are within the Township's sewer service area of the Readington Lebanon Sewerage Authority ("RLSA") and that a connection can be made to the nearest public sewer main which is located 3,500 sq. feet from the site; and

WHEREAS, the Township Engineer advised the Sewer Advisory Committee that emergency sanitary sewer allocation is available for documented failing or failed septic systems serving existing development where it is demonstrated that individual onsite subsurface sewage disposal is no longer viable and the applicant has adequately exhausted all available on-site disposal options; and

WHEREAS, the Township Engineer opined that the Applicant's engineers had adequately demonstrated that the onsite soils and existing disposal beds are no longer suitable for a septic system based upon the soils investigation performed and results provided in connection with the application; and

WHEREAS, according to a review of NJDEP design-flow criteria for a retail use building, the Township Engineer recommended an allocation of 12,000 gpd for the current 119,123 sq. foot building and an additional allocation of 3,000 gpd for a 30,000 sq. foot addition; and

WHEREAS, the Sewer Advisory Committee considered and approved the Applicant's request at its meeting held on December 18, 2014 and provided the Readington Township Committee ("Township Committee") with the following recommendation in a memo dated December 23, 2014:

Resolution #R-2015-29 cont'd:

- a. that 12,000 gpd sewer capacity be approved, plus an additional 3,000 gpd conditioned upon approval of the proposed 30,000 square foot expansion of the building; and
- b. that metering be required from the Applicant, together with the submission of flow reports to the Township; and
- c. that approval for the sewerage allocation remain with the building based upon the use as described in the application to the Sewer Advisory Committee, or else the capacity must be returned to the Township in the event conditions changed; and
- d. the cost of all necessary TWA (treatment works) approvals and other required approvals must be borne by the Applicant, including maintenance and operating costs of the pump station; and

WHEREAS, the Township Committee considered the Applicant's request at its meeting on January 20, 2015 at which time it reviewed the Sewer Advisory Committee's discussion and its subsequent recommendations for approval by the governing body; and

WHEREAS, after consideration, the Township Committee agrees with the recommendations of the Sewer Advisory Committee for the reasons explained in the Township Engineer's December 4, 2014 memo and in the Advisory Committee's recommendation of December 23, 2014 as set forth above, with the added provision that the Applicant enter into an appropriate sewer agreement with the Township.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey that the sewer allocation request of the Applicant National Realty & Development Corp./Readington Holdings, L.P. is hereby granted as follows:

- a. 12,000 gpd sewer capacity is hereby allocated for the existing 119,123 sq. ft. building due to the failing septic system on the property;
- b. an additional 3,000 gpd is hereby allocated for the proposed 30,000 square foot expansion of the building. This allocation approval is conditioned on the Applicant applying for and receiving site plan approval for such expansion (together with any necessary variances) from the appropriate municipal board having jurisdiction over the project;
- c. metering shall be installed and maintained by the Applicant on the property, at Applicant's expense, during the life of the development in order to monitor the sewerage flows on the premises and the Applicant shall be required to submit quarterly flow reports to the Township and/or its designated officials. The Township, its agents and officers shall have reasonable rights of access at all reasonable times to inspect the equipment and all flow records;
- d. the sewerage allocation approved herein applies only to the building located within the leased tract area within the Property (ie. Block 14, Lot 49) based upon the use as described in the application to the Sewer Advisory Committee set forth above. If the above-described expansion plans for the site do not proceed and/or the allocation is not used for the aforementioned property in accordance with the use described, then the capacity must be returned to the Township;
- e. the cost of all necessary TWA (treatment works) approvals, utility mark-out requests and other required approvals shall be borne by the Applicant, including maintenance and operating costs of the pump station and force main; and
- f. the Applicant shall enter into a Sewer Agreement with the Township for the cost of the allocation granted herein.
- g. Notwithstanding the above, in the event of an intended sale of the property, change of tenant or any proposed plans for future assignment or different use of the aforesaid sewer capacity, the Applicant/property owner must first apply to the Sewer Advisory Committee for recommendation and then to the Township Committee for approval, in accordance with Township ordinances.

Resolution #R-2015-29 cont'd:

BE IT FURTHER RESOLVED that billing for the above sewerage capacity shall be coordinated between the Tax Office and the Administrator/Municipal Clerk's office in accordance with the Township's sewer ordinances.

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

Mr. Auriemma -Aye
Mr. Broten -Aye
Mrs. Duffy -Aye
Mr. Tropello - Aye
Mayor Fort - Aye

2. **2015 Sewer Rate** – Memo dated January 7, 2015 from Michael Balogh, Tax Collector

A **MOTION** was made by Mr. Auriemma to approve the 2015 sewer rate at an annual rate of \$440 per unit (\$110 per quarter), same as it was for 2014, seconded by Mr. Broten and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye
Mr. Broten - Aye
Mrs. Duffy -Aye
Mr. Tropello - Aye
Mayor Fort - Aye

- * 3. **PAIC Renewal Membership** – resolution

This matter was addressed under the Consent Agenda.

- * 4. **Resolution to Authorize Public Sale/Auction of ECHO Unit Situated at 402 Route 523 North (Block 42, Lot 1)**

This matter was addressed under the Consent Agenda.

- * 5. **Discharge of Affordable Housing Agreement / Discharge of Mortgage**
Vergalito (705 Well Sweep Road / Block 21.04, Lot 507.02)

This matter was addressed under the Consent Agenda.

- * 6. **Discharge of Affordable Housing Agreement / Discharge of Mortgage**
Gulick (117 Dove Cote Court / Block 21.06, Lot 201.09)

This matter was addressed under the Consent Agenda.

- * 7. **Discharge of Affordable Housing Agreement / Discharge of Mortgage**
Clark (218 Dove Cote Court / Block 21.06, Lot 302.09)

This matter was addressed under the Consent Agenda.

- * 8. **Release of Board of Health Escrow** - Fontaine (110 Dreahook Road, Block 50, Lot 38)

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported when the Court Administrator was approved for hire back in September of 2014 it was done through a motion; however, the vicinage has requested a formal resolution.

The following resolution was offered for consideration:

#R-2015-30

**TOWNSHIP OF READINGTON
RESOLUTION**

BE IT RESOLVED, in accordance in N.J.S.A. 2B:12-11E, that Kimberly Marino be appointed Court Administrator for the Township of Readington for the period of September 2, 2014 through September 1, 2015.

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

Mr. Auriemma -Aye
Mr. Broten -Aye
Mrs. Duffy -Aye
Mr. Tropello - Aye
Mayor Fort - Aye

Adminstrator Mekovetz reported that she received a Mayor Advisory notice stating there would be some changes in the regulations that effect the wireless industry and there was a recommendation from the League of Municipalities to send a letter on behalf of the municipality to oppose the new rule. Attorney Dragan provided a brief explanation on how the regulations may not necessarily be compatible within the working timeline of government and summarized the draft letter from the League of Municipalities. Mr. Broten opined that this is beyond the Township's expertise and perhaps the Township should not be weighing in on this matter. Attorney Dragan offered that, with Federal Commissions on topics as such, they do take into account the individual responses from municipalities and proposed that the letter could be modified to be more understandable and still be beneficial.

A **MOTION** was made by Mrs. Duffy to authorize Administrator Mekovetz to send the letter, seconded by Mr. Auriemma with a vote of four ayes and one opposed (Mr. Broten).

Administrator Mekovetz announced that the Township will be taking bids for a Bond Anticipation Note Sale tomorrow.

ATTORNEY'S REPORT

Attorney Dragan reported that Fallone property closed on the 15th of January.

ENGINEER'S REPORT

Engineer O'Brien reported that the 2015 road improvements were reviewed with the Department of Public Works and they are in the process of working up the estimates for the Committee's review.

Engineer O'Brien also reported that on January 13th he met with Stephen Souza, John Barczyk and Mayor Fort for the DEP Water Quality Enhancement Grants and four projects will be reviewed for grant application funding. Engineer O'Brien added that the grant would be \$600,000, with a third of it allocated for design and the remaining two-thirds for actual construction.

COMMITTEE REPORTS

Thomas Auriemma

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

John Broten

Mr. Broten reported that he and Mr. Tropello will be reaching out to property owners affected by the Transco pipeline.

M. Elizabeth Duffy

Mrs. Duffy reported that there is a proposed resolution relating to the Cole Family application for farmland preservation. Mrs. Duffy stated that when the application went before the County Agricultural Development Board at the January meeting it was realized that Cole’s actually owned two parcels of land which included a sliver of property (Block 68, Lot 14) that was inadvertently excluded from the original resolution passed in October of 2014 and in order for the Cole’s to proceed with their application, the CADB has requested that the Township adopt a revised resolution to include the sliver of property.

The following resolution was offered for consideration:

#R-2015-31

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, the following block and lots in Readington Township are not currently included in the Agriculture Development Area (“ADA”) for Readington Township as previously approved by the Hunterdon County Agriculture Development Board (“CADB”) and the New Jersey State Agriculture Development Committee (“SADC”) :

<i>Block 67, Lot 12</i>	<i>Cole</i>	<i>23.75/- acres</i>
<i>Block 68, Lot 2</i>	<i>Pinter/Krause</i>	<i>8.2 +/- acres</i>
<i>Block 68, Lot 14</i>	<i>Cole</i>	<i>.15 acres</i>

WHEREAS, the owners of the blocks and lots have requested a change in the boundaries of the Agriculture Development Area to incorporate these lots; and

WHEREAS, many lots in proximity to these blocks and lots are actively farmed and/or are already preserved from future development or pending preservation approvals; and

WHEREAS, the Township Committee of the Township of Readington supports the appropriate expansion of the ADA in Readington Township; and

WHEREAS, the CADB and the SADC require a resolution from the Readington Township Committee endorsing any proposed change in the ADA.

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

1. The Township Committee does hereby formally endorse the proposal to expand the Agriculture Development Area (ADA) for Readington Township to include the blocks and lots listed above in this Resolution.
2. This resolution shall take effect immediately.
3. A copy of this Resolution shall be forwarded to the CADB for submission to the State as needed for final approval.

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

Mr. Auriemma -Aye
Mr. Broten -Aye
Mrs. Duffy -Aye
Mr. Tropello - Aye
Mayor Fort - Aye

Betty Ann Fort

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

Samuel Tropello

Mr. Tropello reported that he attended the Rescue Squad annual meeting and commended the emergency service volunteers on their service and dedication.

Mr. Tropello also reported that he will be meeting with Judge Shamey as the Municipal Court liaison.

COMMENTS FROM THE PUBLIC

Nancy Grossweiler, 47 Oakland Drive, requested clarification on the term “*stays in*” under Executive Session.

Donald Baldwin, Morning Star Road, commented that funds spent on the \$400,000 legal fee line item in the 2014 budget had actually been closer to a \$1,000,000 and asked if the Committee anticipated a similar legal fee spending pattern for 2015 and if so, would it be allocated appropriately. Mr. Baldwin inquired about the fencing in front of the power lines on Hillcrest Road located in Readington’s open space, and opined that it may be inappropriately closed.

Richard Allen, Hillcrest Road, addressed the comment of Mr. Baldwin by explaining that it is PSE&G fencing on the east side of the road which is their property, and the west side is open space which has allowed access except for trucks and cars.

Ken Garvey, Pleasant Run Road, asked about documentation of pending litigation. Mr. Garvey commented that on Pleasant Run they are having problems with flooding and wanted to have people be aware of a website called Pleasant Run Flood Control.

Jeff Kolmer, Dreahook Road, commented on the percentage of health benefits paid by employees.

John Klotz, Winding Way, expressed the sentiments of Mr. Baldwin’s concern with regard to communication from the utility company to fence in township owned property. Mr. Klotz also explained the role of the Open Space Advisory Board and invited anyone interested to attend the meetings.

Sandra Rosenberg, Clearview Road, requested clarification on how open space funding is used and asked how much money the state had for open space funding. Mrs. Rosenberg opined that there are more pressing issues in the Township to fund. Mrs. Rosenberg commented that having the Recycling Center open twice a month is not working.

Mr. Garvey commented on the open space debt.

COMMENTS FROM THE GOVERNING BODY

Mr. Broten commented that he appreciated the attendance and public comments at the meeting tonight.

Mr. Tropello echoed the comments of Mr. Garvey with regard to the flooding issues on Holland Brook and Pleasant Run since he also sometimes cannot get in or out when it floods and added that the locked fence on Hillcrest Road could become a public safety problem preventing emergency vehicles from entering the property.

Mr. Tropello commented on the spending of the Township with regard towards open space and setting priorities of where the funds should be spent. Mr. Tropello also expressed concern on the Recreation and Open Space Inventory (ROSI) and how the purchases are refunded back to the Township.

Mr. Klotz responded to Mr. Tropello comment with regard to the open space preservation debt and explained that a good portion of this will be refunded to the Township, reducing the debt.

As there was no further business, A **MOTION** was made by Mrs. Duffy at 9:30 p.m. to adjourn the meeting, seconded by Mr. Auriemma with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/QPA
Municipal Clerk