

**READINGTON TOWNSHIP COMMITTEE  
MEETING – February 1, 2016**

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 M. Duffy, Mr. J. Broten, Mr. B. Smith, 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**

<b><u>Subject Matter</u></b>	<b><u>Basis Of Public Exclusion</u></b>	<b><u>Date Anticipated When Disclosed to Public</u></b>
Code Enforcement.....	Personnel.....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Professional Services..... ♦ <i>Chiesa Shahinian &amp; Giantomasi PC (Special Counsel)</i>	Contract Negotiations.....	“ “ “
Professional Services / GRA Inc.....	Contract Negotiations.....	“ “ “
Block 34, Lots 10 & 11 and ..... Block 32, Lot 12 (Fallone at Readington)	Contract Negotiations.....	“ “ “
Executive Session Minutes..... • January 19, 2016	Attorney-Client Privilege.....	“ “ “
Affordable Housing.....	Potential Litigation.....	“ “ “
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6 & 8; Block 67, Lot 2 (Solberg Aviation).....	Litigation.....	“ “ “

Solberg Aviation v. Township of ..... Litigation..... “ “ “  
Readington Civil Action (Prerogative Writ)

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. Broten to adopt this resolution, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

The meeting reconvened at 8:45 p.m.

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

**Executive Session:**

**Personnel / Code Enforcement**

Mayor Fort stated that this matter remains in Executive Session.

**Contract Negotiations / Professional Services / Chiesa Shahinian & Giantomasi PC**

The following resolution was offered for consideration:

**#R-2016-35**

**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**, Chiesa Shahinian & Giantomasi 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, Chiesa Shahinian & Giantomasi 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**, Chiesa Shahinian & Giantomasi PC has completed and submitted a Business Entity Disclosure Certification which certifies that Chiesa Shahinian & Giantomasi 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 Chiesa Shahinian & Giantomasi 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 2016 budget.

**Resolution #R-2016-35 cont'd:**

**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 Chiesa Shahinian & Giantomasi 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, 2016; 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. Broten and on Roll Call vote the following was recorded:

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

**Contract Negotiations / Professional Services / GRA Incorporated**

The following resolution was offered for consideration:

**#R-2016-36**

**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.

**WHEREAS**, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

**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:
  - GRA, Incorporated to represent the Township as Economic Counsel to the Transportation Industry at a cost not too exceed \$15,385.00
2. Said contract shall expire on December 31, 2016.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
3. This Resolution shall take effect immediately.

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

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

***Contract Negotiations / Block 34, Lots 10 & 11 and Block 32, Lot 12 (Fallone at Readington)***

A **MOTION** was made by Mrs. Duffy to authorize Attorney Dragan to write to the DEP conveying the Township’s position with respect to the Permit Extension Act and notifying them of our intent to proceed under the permits unless otherwise contacted, seconded by Mr. Broten with a vote of ayes all, nays none recorded.

***Attorney-Client Privilege / Executive Session Minutes / January 19, 2016***

A **MOTION** was made by Mr. Smith to approve the Executive Session Minutes of January 19, 2016 for content only, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

***Potential Litigation / Affordable Housing***

Mayor Fort stated that this matter remains in Executive Session.

***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.

***Litigation / Solberg Aviation v. Twp. of Readington Civil Action (Prerogative Writ)***

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.

Mr. Smith requested to remove *Item #1 under New Business* and Administrator Mekovetz requested to remove *Item #4 under New Business* from the Consent Agenda.

- \* 1. **APPROVAL OF MINUTES** of meeting of January 19, 2016
- \* 2. **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 23, Lot 6 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 \$ 899.10, plus a premium paid in the amount of \$1,300.00, known as Tax Sale Certificate #2015-007, to the lienholder, FWDSL & Associates, LP.

\* 3. **Resolution Amending 2016 Appointments**

The following resolution was offered for consideration:

**#R-2016-37**

**TOWNSHIP OF READINGTON**  
**RESOLUTION**

**BE IT RESOLVED**, that the following appointments have been *amended* for the year 2016:

**2016 APPOINTMENTS**

<b><u>POSITION</u></b>	<b><u>APPOINTMENT</u></b>	<b><u>TERM/YEARS</u></b>
FIRE OFFICIAL.....	DENNIS CONCANNON.....	TWO YEARS
PROPERTY CERTIFICATION OFFICIAL.....	TOM LANCE .....	ONE YEAR

\* 4. **Release of Soil Witness Fees / Block 39, Lot 49.01 (Miccio)**

\* 5. **Payment of Bills** – (Complete bill list is on file in Clerk’s Office)

<b><u>Fund Description</u></b>	<b><u>Fund No.</u></b>	<b><u>Received Total</u></b>
CURRENT FUND	5-01	\$ 67,063.09
SEWER APPROPRIATIONS	5-02	\$ 29,764.25
CURRENT FUND	6-01	\$ 351,638.51
SEWER APPROPRIATIONS	6-02	\$ 125,556.44
TRUST FUNDS	X-03	\$ 13,413.90
MISC REFUND, COUNTY TAX, LIENS	X-05	\$2,727,945.28
PAYROLL DEDUCTIONS	X-06	\$ 170,477.30
REG. & LOCAL SCHOOL TAX	X-07	\$2,353,621.00
DUE TO STATE OF NJ	X-09	\$ <u>400.00</u>
<b>TOTAL OF ALL FUNDS</b>		<b>\$5,839,879.77</b>

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

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

**COMMENTS FROM THE PUBLIC** for items listed on the agenda only

Paula Baldwin, Morningstar Road, commented on the procedural process relative to the amended appointment resolution and thanked Mr. Smith for reducing his salary to the allowable minimum.

**PUBLIC HEARINGS**

As it was after 7:45 p.m., A **MOTION** was made by Mr. Smith to adjourn the regular meeting to hold a Public Hearing, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

Clerk read by Title:

*An Ordinance Amending Bond Ordinance Numbered 04-2006 of the Township of Readington, in the County of Hunterdon, New Jersey, Finally Adopted February 21, 2006 in Order to Amend the Section 20 Costs*

◆ **Ordinance #01-2016**

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

Mr. Broten stated that his question at the last meeting relative to the amended bond ordinance was addressed to his satisfaction by bond counsel.

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

There were none.

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

Clerk read by Title:

*An Ordinance Amending Bond Ordinance Numbered 04-2006 of the Township of Readington, in the County of Hunterdon, New Jersey, Finally Adopted February 21, 2006 in Order to Amend the Section 20 Costs*

◆ **Ordinance #01-2016**

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

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

**CORRESPONDENCE / OTHER INFORMATION**

1. Letter dated January 13, 2016 from Frank Simpson, NJ American Water Company regarding *The Petition of NJ American Water Company, Inc. to Change the Levels of its Purchased Water Adjustment Clause and Purchased Wastewater (Sewerage) Treatment Adjustment Clause*. No action taken.

**OLD BUSINESS**

1. ***Request from Readington Community Theatre Requesting Financial Support to Promote Performing Arts***

Administrator Mekovetz stated that she had been advised today that the representative from the Readington Community Theatre would not be able to attend this meeting.

**NEW BUSINESS**

1. ***Results of Bond Anticipation Note Sale***

Mr. Smith recused himself from this discussion due to a conflict of interest related to his job.

<i>\$25,700,000 Bond Anticipation Note</i>	
<i>Bid Date:</i>	<i>January 26, 2016</i>
<i>Dated:</i>	<i>February 3, 2016</i>
<i>To Mature:</i>	<i>February 2, 2017</i>
<b><i>J.P. Morgan Securities LLC</i></b>	
<i>Coupon</i>	<i>2.00%</i>
<i>Premium</i>	<i>\$352,604.00</i>
<i>NIC</i>	<i>0.6242%</i>
<i>NIC in Dollars</i>	<i>\$159,968.22</i>

**A MOTION** was made by Mr. Broten to accept the results of the Bond Anticipation Note Sale, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Broten	-Aye
Mrs. Duffy	-Aye
Mr. Smith	- Recused
Mr. Tropello	- Aye
Mayor Fort	- Aye

- \* 2. ***Resolution Amending 2016 Appointments***

This matter was addressed under the Consent Agenda.

- \* 3. ***Release of Soil Witness Fees / Block 39, Lot 49.01 (Miccio)***

This matter was addressed under the Consent Agenda.

4. ***Resolution to Approve Acquisition of a Development Easement held by County of Hunterdon on the Cole Farm (Block 67, Lot 12)***

Attorney Dragan asked that this matter be deferred since she is still working with the SADC on language in the resolution regarding the uses in the exception area and will bring this matter back at the next meeting.

***ADMINISTRATOR'S REPORT***

Administrator Mekovetz stated that she had nothing further to report.

***ATTORNEY'S REPORT***

Attorney Dragan stated that she had nothing further to report.

***ENGINEER'S REPORT***

Engineer O'Brien reported that he forwarded the 2016 Road projects to the Committee for review.

Engineer O'Brien also reported that the work on the culvert near the Merck entrance will not begin until June 1<sup>st</sup>.

***COMMITTEE REPORTS***

**JOHN BROTEN**

Mr. Broten commended the Department of Public Works for all their hard work during the last snowstorm and thanked them for their efforts.

**M. ELIZABETH DUFFY**

Mrs. Duffy had nothing further to report.

**BETTY ANN FORT**

Mayor Fort reiterated Mr. Broten's sentiments on the exceptional work of the Department of Public Works, along with Emergency Services during the storm.

Mayor Fort reported that the Bouman Stickney Museum will be having an Open Hearth Cooking Demonstration on Sunday, featuring *cooking with chocolate*.

Mayor Fort reported that she met with those interested in continuing the Dog Park.

**BEN SMITH**

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

**SAM TROPELLO**

Mr. Tropello reported that State Legislature sent a bill to Governor Christie with regard to raising the legal age to buy cigarettes to 21 years of age, which was subsequently vetoed by the Governor. Mr. Tropello continued that the Board of Health is looking to send a letter to Governor Christie requesting him to support this bill and asked if the Township Committee would consider doing the same.

**A MOTION** was made by Mr. Tropello to write a letter supporting the Board of Health's request to Governor Christie to reconsider his veto on the legal age limit to purchase cigarettes, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

***COMMENTS FROM THE PUBLIC***

Paula Baldwin, Morningstar Road, urged further negotiations with the Solberg to settle the litigation.

Tom Auriemma, Weavers Lane, commented that the numerous negotiations already taken place with the Solberg family were fruitless. Mr. Auriema also thanked Mayor Fort for her effort on continuing the Dog Park.

John Anderson, JCP&L, commented that they are getting ready to start the tree trimming on the Stanton Sub-Station.

Richard Allen, Hillcrest Road, commented on the amended bond ordinance which was adopted this evening.

***COMMENTS FROM THE GOVERNING BODY***

There were none.

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. Broten with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/QPA  
Municipal Clerk