

**READINGTON TOWNSHIP COMMITTEE
MEETING - JANUARY 18, 2005**

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

PRESENT: Mayor Gatti, Deputy Mayor Shamey, Mrs. J. Allen and Mr. T. Auriemma

ABSENT: Mrs. B. Muir

ALSO PRESENT: Attorney Dragan, Administrator Mekovetz and Engineer McEldowney

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 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>	<i>Date Anticipated When Discussion Will Be Disclosed to Public</i>
DPW Local 469.....	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
PBA Local 317.....	Contract Negotiations.....	" " "
Buildings & Grounds.....	Personnel.....	" " "
Code Enforcement.....	Personnel.....	" " "
Engineering.....	Personnel.....	" " "
Hunterdon County Housing Corporation.....	Contract Negotiations.....	" " "
Block 63, Lot 45 (Holman).....	Contract Negotiations.....	" " "
Block 36, Lot 9 (Evergreen Farm).....	Contract Negotiations.....	" " "
Block 36, Lot 27 (Hidden Creek Farm).....	Contract Negotiations.....	" " "
Municipal Auditing Services.....	Contract Negotiations.....	" " "
Professional Services.....	Contract Negotiations.....	" " "
Executive Session Minutes.....	Attorney-Client Privilege.....	" " "
Lackland & Lackland v. Twp. of Readington Docket No. 3:02-5597 (GEB).....	Litigation.....	" " "
Fallone Properties, L.L.C.....	Litigation/Contract Negotiations...	" " "
Awarding of School Road Improvement Bid...	Contract Negotiation.....	" "
Liquor License Auction.....	Attorney-Client Privilege/ Contract Negotiations	" " "

EXECUTIVE SESSION RESOLUTION - continued:

2. 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."
3. This Resolution shall take effect immediately.

A ***MOTION*** was made at 6:30 p.m. by Mrs. Allen to adopt this Resolution, seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

The meeting reconvened at 8:15 p.m.

Mrs. Allen left the meeting at this time.

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

Swearing in of Carlos J. Ferreiro as 1st year certified/probationary police officer.

Administrator Mekovetz swore in Carlos J. Ferreiro as 1st year certified/probationary police officer.

Mayor Gatti announced that the following business was completed during Executive Session:

Contract Negotiations - DPW Local 469

Mayor Gatti said that this matter will remain in Executive Session.

Contract Negotiations - PBA Local 317

Mayor Gatti said that this matter will remain in Executive Session.

Personnel - Buildings & Grounds

A ***MOTION*** was made by Mr. Auriemma to terminate Matthew Nunn as he no longer meets the requirements of his position in the Buildings, Grounds and Parks Department. This motion was seconded by Mr. Shamey and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

Personnel - Code Enforcement

Mayor Gatti said there was no action on this matter.

Personnel - Engineering

Mayor Gatti said that this matter will remain in Executive Session.

Contract Negotiations - Hunterdon County Housing Corporation

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2005-15***

WHEREAS, the following property, 27 Route 523, is owned by Hunterdon County and located in Readington Township; and

WHEREAS, Hunterdon County desires to lease this property to Hunterdon County Housing Corporation for the sole purpose of providing low/moderate affordable housing; and

WHEREAS, Hunterdon County Housing Corporation will serve as sole management agent and landlord of this property, assuming all responsibility; and

Hunterdon County Housing Corporation - continued:

WHEREAS, the property will be rented under Council on Affordable Housing (COAH) regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, agrees to the following:

Readington Township will assume the duties and obligations associated with the Housing Corporation lease for the deed covenant's control period in the event the Hunterdon County Housing Corporation should be dissolved or cease to function as a non-profit corporation for the purpose of providing residential housing for low and moderate persons; or in the event another qualifying non-profit corporation is not named, established or formed to provide similar purposes.

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

Mr. Auriemma - Aye
Mr. Shamey - Aye
Mayor Gatti - Aye

Contract Negotiations - Block 63, Lot 45 (Holman)

A **MOTION** was made by Mr. Shamey to award the contract in the amount of \$1,876.00 to Ronald A. Curini to update the appraisal on Block 63, Lot 45 (Holman). This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye
Mr. Shamey - Aye
Mayor Gatti - Aye

Contract Negotiations - Block 36, Lot 9 (Evergreen Farm)

Mayor Gatti said that discussion of this matter was deferred until the next meeting.

Contract Negotiations - Block 36, Lot 27 (Hidden Creek Farm)

Mayor Gatti said that discussion of this matter was deferred until the next meeting.

Contract Negotiations - Municipal Auditing Services

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2005-16**

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:

Suplee, Clooney & Company for Municipal Auditor Services at an annual rate of \$33,600.00

Municipal Auditing Services - continued:

2. Said contract shall expire on December 31, 2005.
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. Shamey to adopt this Resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

***Contract Negotiations - Professional Services:
Sharon A. Dragan, Esq., Twp. Attorney***

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2005-17**

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:
 - Sharon A. Dragan as Twp. Attorney at an annual rate of \$67,200.00.
2. Said contract shall expire on December 31, 2005.
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. Shamey to adopt this Resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

Valerie Kimson Bollheimer, Litigation Services

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2005-18**

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

Valerie Kimson Bollheimer, Litigation Services - continued:

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:

Valerie Kimson Bollheimer, Esq. of Purcell, Ries, Shannon, Mulcahy & O'Neill as Special Counsel for the P&H Clinton Partnership vs. Twp. of Clinton, RLSA, Twp. of Readington, Borough of Lebanon, Lebanon Borough Sewerage Authority & NJDEP (Docket No. A-002997-03T1) and P&H Clinton Partnership vs. Clinton Township Planning Board (Docket No. A-004179-03T1) litigation at rates as listed:

Attorney - \$150 per hour.
Paralegal - \$75 per hour.

2. Said contract shall expire on December 31, 2005.
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. Shamey to adopt this Resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

Parker, McCay & Criscuolo, PA

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2005-19**

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:

Howard D. Cohen, Esq. of Parker, McCay & Criscuolo, PA as Special Litigation Counsel at the following rates: Attorney - \$250 per hour;
Associates - \$150 per hour, for the following matters:

Parker, McCay & Criscuolo, PA - continued:

Lackland and Lackland, *et als.* v. Readington Township, *et als.*
Docket No. HNT-L-344-03 (formerly SOM-L-1466-00PW)

Lackland and Lackland v. Township of Readington
Docket No. 3:02-2017 (SRC)

Illva Saronno Corporation v. Township of Readington
Civil Action No. 02-3668 (MLC)

Mark Hartman & Wilmark Building Contractors, Inc. vs. the Township of
Readington -
Docket #3:02-2017 (SRC)

Wilmark Building Contractors, Inc. v. Township of Readington
Docket No. HNT-L-132-03

Toll Brothers, Inc. vs. the Township of Readington, *et als.*
Docket No. SOM-L-618-04 (formerly HNT-L-495-02)

2. Said contract shall expire on December 31, 2005.
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. Shamey to adopt this Resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

Martin Allen, Esq., Tax Attorney

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2005-20***

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:
 - Martin Allen, Esq. of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer at a rate of \$130 per hour for tax attorney/bankruptcy services.
2. Said contract shall expire on December 31, 2005.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.

Martin Allen, Esq., Tax Attorney - continued:

4. This Resolution shall take effect immediately.

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

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

Studer & McEldowney, PA

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2005-21**

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:

H. Clay McEldowney, CME, PE, LS, PP of Studer and McEldowney, PA
for Municipal Engineering Services at rates as detailed in the contract.

2. Said contract shall expire on December 31, 2005.
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. Shamey to adopt this Resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

AEIS - Inspection of Lake Cushetunk Dam

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2005-22**

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.

AEIS - Inspection of Lake Cushetunk Dam - continued:

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 \$6,900.
2. Said contract shall expire on December 31, 2005.
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. Shamey to adopt this Resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

Attorney-Client Privilege - Executive Session Minutes

A MOTION was made by Mr. Shamey to approve the Executive Session Minutes from the December 20, 2004 Committee meeting, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

Litigation - Lackland and Lackland v. Township of Readington Docket No. 3:02-5597 (GEB)

Mayor Gatti said that this matter will remain in Executive Session.

Litigation/Contract Negotiations - Fallone Properties, L.L.C.

A MOTION was made by Mr. Shamey to refer the assignment and transfer request to the Sewer Advisory Committee. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

A MOTION was made by Mr. Shamey to accept the proposals for the improvements to the Oakland Drive Pump Station as outlined in a letter dated January 13, 2005 from VanCleeef Engineering to Clay McEldowney. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

Contract Negotiations - Awarding of School Road Improvement Bid

A MOTION was made by Mr. Shamey to award the contract in the amount of \$277,161.50 to Top Line Construction for the School Road Improvement Bid, subject to review by Attorney Dragan and receipt of a Certification of Funds from the Chief Financial Officer. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

Attorney-Client Privilege Contract Negotiations - Liquor License Auction

A **MOTION** was made by Mr. Shamey to authorize Administrator Mekovetz to set a new auction date in late March or early April for the new Plenary Retail Distribution liquor license. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

CONSENT AGENDA:

Mayor Gatti asked that the approval of the minutes of the January 3, 2005 meeting be removed from the Consent Agenda because there is a correction that needs to be made.

Approval of the minutes of the meeting of December 27, 2004 were removed from the Consent Agenda as there wasn't a quorum to approve them.

Attorney Dragan asked that item #9 under New Business "***Ferruggia Associates/Block 1.01, Lots 1.05 & 1.06***" - request for release of unused escrow funds" be removed from the Consent Agenda because she would like to research this request further.

1. ***Hunterdon Drug Awareness Program, Inc.*** - request for \$2,000 donation.
2. ***Cancellation of Property Tax Refunds or Delinquencies of Less than \$10.00*** - Resolution.

**TOWNSHIP OF READINGTON
RESOLUTION
CANCELLATION OF PROPERTY TAX REFUNDS OR
DELINQUENCIES OF LESS THAN \$10.00
R-2005-24**

WHEREAS, the State of New Jersey allows a Municipal Employee to process the cancellation of any property tax refund or delinquency of less than \$10.00; and

WHEREAS, the Municipal Employee allowed to process the cancellation shall be the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington hereby authorizes the Tax Collector of the Township of Readington to process the cancellation of any property tax refund or delinquency of less than \$10.00.

3. ***Jacobs-BBL*** - payment for Three Bridges Pump Station project.
4. ***Monthly Collection Report*** for December, 2004.
5. ***Monthly Collection Report for Sewers*** for December, 2004.
6. ***Lien Redemptions*** - resolutions.

**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 57, Lot 3 known as Tax Sale Certificate #97-10; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$37,991.49 to the lien holder, FUNB as Custodian c/o Plymouth SPV 1.

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

CONSENT AGENDA - continued:

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 57, Lot 3 known as Tax Sale Certificate #02-09; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$20,743.56, plus a premium of \$700.00 paid at the tax sale to the lien holder, MD SASS IV (4), Wachovia Bank, NA.

7. Payment of the Bills.

Fund Description	Fund No.	Received Total
CURRENT FUND APPROPRIATION	001	\$ 1,114,193.52
SEWER APPROPRIATION	002	\$ 96,084.69
TRUST APPROPRIATION	003	\$ 11,162.10
CAPITAL APPROPRIATIONS	004	\$ 181,128.30
MISC. REFUND, COUNTY TAX, LIENS	005	\$ 317,086.23
PAYROLL DEDUCTIONS	006	\$ 331,222.31
REGIONAL & LOCAL SCHOOL TAX	007	\$ 5,130,705.23
DUE TO STATE OF NEW JERSEY	009	\$ 825.00
 TOTAL OF ALL FUNDS:		 \$ 7,182,407.38

A **MOTION** was made by Mr. Shamey to approve the items as listed on the consent agenda. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

APPROVAL OF THE MINUTES of meeting of January 3, 2005.

The following correction was made:

Page 17: Under Mrs. Allen’s report, the motion should read as follows:

A MOTION was made by Mrs. Allen to send a letter to the County thanking them for their letter regarding the Highlands Act. The consensus of the Township Committee is not to join in as a plaintiff at this time. This motion was seconded by Mrs. Allen *with the following vote recorded:*

<i>Mrs. Allen</i>	-	<i>Aye</i>
<i>Mr. Auriemma</i>	-	<i>Aye</i>
<i>Mrs. Muir</i>	-	<i>Nay</i> (by show of hand)
<i>Mr. Shamey</i>	-	<i>Aye</i>
<i>Mayor Gatti</i>	-	<i>Aye</i>

A MOTION was made by Mr. Shamey to approve the minutes of the January 3, 2005 meeting, as corrected. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

CORRESPONDENCE/OTHER INFORMATION:

1. Notice dated January 3, 2005 from William G. Dressel, Jr., Executive Director, NJ State League of Municipalities **urging opposition to A-3529 “Disability Pension Enhancement.”**

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION URGING OPPOSITION TO A-3529
R-2005-23**

Resolution urging opposition to A-3529 - continued:

WHEREAS, on November 8, 2004, the New Jersey Superior Court, Appellate Division reaffirmed that government workers cannot receive both a full ordinary disability pension and workers compensation benefits at the same time for the same injury; and

WHEREAS, on November 22, 2004, A-3529 was introduced in response to this court decision to permit a such a double payment retroactive to August, 1997, and this bill later has its second reading and is now awaiting a full Assembly vote; and

WHEREAS, if A-3529 is adopted, government workers will receive substantially more income while out on workers compensation than they would receive if still on the job, and the language of this bill purports to "restore" a benefit which never existed in the law; and

WHEREAS, if A-3529 is adopted, it will have a significant negative financial impact on New Jersey's already fiscally stressed municipalities;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, joins with the New Jersey League of Municipalities and the Municipal Excess Liability Fund in urging you to oppose A-3529 and to support the referral of A-3529 to the Pension and Health Benefits Review Commission for further fiscal analysis; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Acting Governor Codey, to our State Senator and to our representatives in the General Assembly, as well as to the New Jersey League of Municipalities.

A MOTION was made by Mr. Shamey to adopt this Resolution, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

2. Notice dated December 30, 2004 from Rebecca E. D'Alleinne, Planning Board Administrator regarding **public hearing of the 2005 Clinton Township Housing Element & Fair Share Plan**, noted for information. No action taken.
3. Memorandum dated January 6, 2005 from Karen Dysart, Clerk, Borough of Milford, regarding **adoption of a resolution in opposition to the Fast Track Permitting Act, PL 2004, C. 89**, noted for information. No action taken.
4. Notice from Roberta A. Brassard, Municipal Clerk, Twp. of Tewksbury, regarding **adoption of Ordinance #29-2004 - An Ordinance to Amend an Ordinance whose short title is "Tewksbury Twp. Development Regulations Ordinance (2000)"**, noted for information. No action taken.
5. Letter dated December 15, 2004 from Lou Cattuna, Section Chief, Bureau of Inland Regulation, NJDEP regarding **NJDEP Freshwater Wetlands Letter of Interpretation/ Line Verification - Solberg Aviation Co., Block 40, Lot 1**, noted for information. No action taken.
6. Memorandum dated January 11, 2005 from Sharon L. Brienza, Municipal Clerk, Twp. of Branchburg, regarding **public hearing of Ordinance #2005-975 Amending the Land Development Ordinance of the Twp. of Branchburg by removing the residential combination cluster option from the MDR zone**, noted for information. No action taken.

OLD BUSINESS:

1. **Chanco Development Corp.** - request to use portion of escrow funds for the cash portion of Performance and Maintenance Bonds for Phase I.

Action on this matter was deferred until the next meeting.

NEW BUSINESS:

1. **Appointment of Chair of Environmental Commission.**
Mayor Gatti suggested that Cheryl Filler be appointed as Chair.

Appointment of Chair of Environmental Commission - continued:

A **MOTION** was made by Mr. Shamey to appoint Cheryl Filler as Chair of the Environmental Commission for one (1) year. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

2. ***Reappointment of Representatives to Readington-Lebanon Sewerage Authority.***

A **MOTION** was made by Mr. Shamey to reappoint Dr. Charles A. Westfield, III as Readington Township Representatives to the Readington-Lebanon Sewerage Authority for five (5) year terms, effective February 1, 2005 and ending February 1, 2010. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

3. ***Appointment of Vita Mekovetz as Municipal Treasurer*** (three year term retroactive to Jan. 1, 2004).

A **MOTION** was made by Mr. Shamey to appoint Vita Mekovetz as Municipal Treasurer for a three (3) year term, retroactive to January 1, 2004. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

4. ***Housing Committee*** - reactivation.

Administrator Mekovetz said she received a memorandum from Housing & Social Services Director Diane Clapp regarding the reactivation of the Housing Committee.

Mr. Shamey suggested that this matter be discussed with Mrs. Muir as she is the Committee Liaison for Public Assistance and also that more information be obtained. All agreed.

5. ***Setting of Municipal Sewer Rate.***

Administrator Mekovetz said that the Committee needs to set the Municipal Sewer Rate before the first quarter tax bills can be sent out to residents.

After a short discussion it was the consensus of the Committee to discuss this matter further at the January 22nd budget meeting.

6. ***Bond Ordinance/Block 45, Lot 10 (Eggeman)*** - introduction.

The following Ordinance was offered for introduction:

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$100,000 FOR THE ACQUISITION OF LAND (BLOCK 45, LOT 10, SILVER BIT & SPUR FARM, INC. /EGGEMAN PROPERTY) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

Ordinance #01-2005

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE, OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the Township of Readington, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$100,000, such sum being in addition to the \$310,000 appropriated therefor by bond ordinance #08-2003 of the Township finally adopted July 7, 2003, and including the sum of \$5,000 as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Bond Ordinance/Block 45, Lot 10 (Eggeman) - continued:

SECTION 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$95,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of land, consisting of approximately 61.58 ± acres of property located on County Route 523 and more specifically known as Block 45, Lot 10 on the tax maps of the Township (Silver Bit & Spur Farm, Inc. /Eggeman Property), as more fully described in bond ordinance #08-2003 of the Township finally adopted July 7, 2003, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$405,000, including the \$310,000 bonds or notes authorized by bond ordinance #08-2003 of the Township finally adopted July 7, 2003 and the \$95,000 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$410,000, including the \$310,000 appropriated by bond ordinance #08-2003 of the Township finally adopted July 7, 2003 and the \$100,000 appropriated herein.

SECTION 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

SECTION 5. The capital budget of the Township of Readington is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

SECTION 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$95,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

Bond Ordinance/Block 45, Lot 10 (Eggeman) - continued:

(d) An aggregate amount not exceeding \$39,000 for items of expense listed in and permitted under *N.J.S.A. 40A:2-20* is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$30,000 was estimated for these items of expense in bond ordinance #08-2003 of the Township finally adopted July 7, 2003, and an additional \$9,000 is estimated therefor herein.

SECTION 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

SECTION 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 10. The Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as the case may be, are authorized pursuant to *N.J.S.A. 40A:12-1 et seq.*, and any other applicable law, to prepare and sign any and all necessary documentation to effectuate the acquisition as described herein, concerning the property known as Block 45, Lot 10, including, but not limited to, any contracts and amendments thereto and all closing documents needed to complete the purchase.

SECTION 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law

A MOTION was made by Mr. Shamey to introduce this Ordinance, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	-	Aye
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

Public Hearing was scheduled for Monday, February 7, 2005 at 8:00 p.m.

7. **Hunterdon Drug Awareness Program, Inc.** - request for \$2,000 donation.

This item was addressed under the Consent Agenda.

8. **Cancellation of Property Tax Refunds or Delinquencies of Less than \$10.00** - Resolution.

This item was addressed under the Consent Agenda.

9. **Jacobs-BBL** - payment for Three Bridges Pump Station project.

This item was addressed under the Consent Agenda.

K. ADMINISTRATOR'S REPORT:

Written report submitted.

Administrator Mekovetz said the Court Administrator has requested that the Committee consider allowing the Municipal Court to take credit card payments. She and CFO Tom Carro have met with the Court Administrator to discuss this request and are looking into different options.

Administrator Mekovetz she had nothing further to report at this time.

L. ATTORNEY'S REPORT:

Written report submitted.

Attorney Dragan said she had nothing further to report at this time.

M. ENGINEER'S REPORT:

Written report submitted.

Engineer McEldowney said he met with Director of Public Works Scott Jesseman regarding a drainage issue on Kosciuszko Road.

Engineer McEldowney said that Mr. Shamey had asked that he look into modifying the extent of the sidewalks on the west side of School Road, which will also reduce the cost of the project.

Mr. Shamey said he polled the Committee regarding this matter and all agreed.

Engineer McEldowney said he had nothing further to report at this time.

N. COMMITTEE REPORTS:

1. Frank Gatti:

a. Finance Department

1. *Monthly Collection Report* for December, 2004.

This item was addressed under the Consent Agenda.

2. *Monthly Collection Report for Sewers* for December, 2004.

This item was addressed under the Consent Agenda.

3. *Lien Redemptions* - resolutions.

This item was addressed under the Consent Agenda.

4. *Payment of the Bills.*

This item was addressed under the Consent Agenda.

Mayor Gatti said at the last Committee meeting Attorney Dragan had discussed the need to obtain an alternate attorney to preside over the appeal of the Board of Adjustment's decision regarding Commerce Bank. He asked that Administrator Mekovetz look into this matter further and also provide possible dates for the hearing.

b. Historic Preservation/Museums

Mayor Gatti listed upcoming programs that are scheduled at the Bouman-Stickney farmstead. Mayor Gatti said he received a request from the Historic Preservation Commission regarding the possible preservation of an Old Dutch Barn that is located on Route 202. He asked that the Committee consider possible uses for this barn.

Mayor Gatti said he had nothing further to report at this time.

2. Gerry Shamey:

a. Liaison to Fire Companies and Rescue Squad

Mr. Shamey said that the Whitehouse Rescue Squad and the East Whitehouse Fire Company held their reorganization dinners on Saturday.

Mr. Shamey said he had nothing further to report at this time.

3. Julia Allen:

As Mrs. Allen was not in attendance, no report was given.

4. Thomas Auriemma:

Mr. Auriemma said he had nothing to report at this time.

5. Beatrice Muir:

As Mrs. Muir was not in attendance, no report was given.

COMMENTS FROM THE PUBLIC:

Mayor Gatti asked for comments from the public.

Mr. Don Baldwin commented on the transfer resolution from the December 27th meeting.

Mr. Baldwin commented on the 2005 legal fees.

Mr. Tom Seibert commented on the proposed increase of the sewer fees.

COMMENTS FROM THE GOVERNING BODY:

Mayor Gatti asked for comments from the Governing Body. There were none.

ADJOURNMENT

As there was no further business, a motion was made by Mr. Shamey to adjourn at 9:10 p.m., seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC
Administrator\ Municipal Clerk