

**READINGTON TOWNSHIP COMMITTEE**  
**FEBRUARY 4, 2008**

Mayor Auriemma *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 T. Auriemma, Deputy Mayor J. Allen, Mrs. B. Muir and Mr. G. Shamey

**ABSENT:** Mr. F. Gatti

**ALSO PRESENT:** Administrator Mekovetz, Attorney Dragan 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**

<b><u>Subject Matter</u></b>	<b><u>Basis of Public Exclusion</u></b>	<b><i>Date Anticipated When Discussion Will Be Disclosed to Public</i></b>
Hunterdon County.....	Contract Negotiations....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Block 63, Lot 9 (Cramer).....	Contract Negotiations.....	" " "
Block 75, Lot 33 (Hanna Saqa).....	Contract Negotiations.....	" " "
Block 46, Lot 20 (Wachendorf).....	Contract Negotiations.....	" " "
Professional Services.....	Contract Negotiations.....	" " "
JWS Computers – Computer & Printer Maintenance Francis X. Hermes, Esq., - Public Defender Scott C. Mitzner, Esq. – Alternate Public Defender Princeton Hydro – General Environmental Consulting Services Richard P. Cushing, Esq. - Special Litigation Services Purcell, Ries, Shannon, Mulcahy & O’Neill - Special Litigation Services		
Waste Mgt. of New Jersey v. Readington Twp. Board of Adjustment.....	Litigation.....	" " "
Joanzee LLC v. Twp. of Readington, <i>et al.</i> .....	Litigation.....	" " "
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 - Hromoho).....	Litigation.....	" " "

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. Muir to adopt this Resolution, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:35 p.m.

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

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

***Contract Negotiations - Hunterdon County***

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

***Contract Negotiations - Block 63, Lot 9 (Cramer)***

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

***Contract Negotiations - Block 75, Lot 33 (Hanna Saqa)***

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

***Contract Negotiations - Block 46, Lot 20 (Wachendorf)***

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

***Contract Negotiations - Professional Services***

***JWS Computers – Computer & Printer Maintenance***

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
PROFESSIONAL COMPUTER AND PRINTER MAINTENANCE SERVICES  
#R-2008-28***

***WHEREAS***, the Township of Readington has a need to acquire Professional Computer and Printer Maintenance 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***, JWS Computers has submitted a proposal indicating they will provide Professional Computer and Printer Maintenance Services at a rate of \$850 per month; and

***WHEREAS***, JWS Computers has completed and submitted a Business Entity Disclosure Certification which certifies that JWS Computers 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 JWS Computers 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*).

***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 JWS Computers 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, 2008; 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. Allen to adopt this Resolution, seconded by Mr. Shamey and on Roll Call vote the following was recorded:

Mrs. Allen	-	Aye
Mrs. Muir	-	Aye
Mr. Shamey	-	Aye
Mayor Auriemma	-	Aye

**Francis X. Hermes, Esq., - Public Defender**

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
MUNICIPAL PUBLIC DEFENDER SERVICES  
#R-2008-29**

**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 Anon-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**, Francis X. Hermes, Esq. has submitted a proposal indicating he will provide Municipal Public Defender Services at a rate of \$95 per hour; and

**WHEREAS**, Francis X. Hermes, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Francis X. Hermes, 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 Francis X. Hermes, 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*).

**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 Francis X. Hermes, 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, 2008; 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. Allen to adopt this Resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mrs. Allen	-	Aye
Mrs. Muir	-	Aye

Mr. Shamey - Aye  
Mayor Auriemma - Aye

***Scott C. Mitzner, Esq. – Alternate Public Defender***

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
ALTERNATE MUNICIPAL PUBLIC DEFENDER SERVICES  
#R-2008-30***

***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***, Scott C. Mitzner, Esq. has submitted a proposal indicating he will provide Alternate Municipal Public Defender Services at a rate of \$95 per hour; and

***WHEREAS***, Scott C. Mitzner, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Scott C. 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 C. 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).

***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 C. 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, 2008; 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. Allen to adopt this Resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mrs. Allen - Aye  
Mrs. Muir - Aye  
Mr. Shamey - Aye  
Mayor Auriemma - Aye

***Princeton Hydro – General Environmental Consulting Services***

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
GENERAL ENVIRONMENTAL CONSULTING SERVICES  
#R-2008-31***

**WHEREAS**, the Township of Readington has a need to acquire General Environmental Consulting 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**, Princeton Hydro, LLC. has submitted a proposal indicating they will provide General Environmental Consulting Services for rates as detailed in the contract; and

**WHEREAS**, Princeton Hydro, LLC. has completed and submitted a Business Entity Disclosure Certification which certifies that Princeton Hydro, 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 Princeton Hydro, 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).

**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 Princeton Hydro, 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, 2008; 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. Allen to adopt this Resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mrs. Allen	-	Aye
Mrs. Muir	-	Aye
Mr. Shamey	-	Aye
Mayor Auriemma	-	Aye

**Richard P. Cushing, Esq. - Special Litigation Services**

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
SPECIAL COUNSEL SERVICES  
#R-2008-32**

**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 Ronald Monaco, Julia Allen, Frank Gatti, Gerard Shamey and Beatrice Muir in certain litigation at a rate of \$205 per hour; and

**WHEREAS**, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC, has completed and submitted a Business Entity Disclosure Certification which certifies that Richard P. Cushing, Esq. of Gebhardt & Kiefer, 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 Richard P. Cushing, Esq. of Gebhardt & Kiefer, 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*).

**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, 2008; 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. Muir to adopt this Resolution, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

Mrs. Allen	-	Aye
Mrs. Muir	-	Aye
Mr. Shamey	-	Aye
Mayor Auriemma	-	Aye

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
SPECIAL COUNSEL SERVICES  
#R-2008-33**

**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

**Richard P. Cushing, Esq. - Special Litigation Services**

**WHEREAS**, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC, has submitted a proposal indicating he will provide Special Counsel Services to represent the Mayor and the Township Committee of the Township of Readington in the *Devine et al. v. Mayor and Township Committee of Readington* and other litigation as requested at a rate of \$205 per hour; and

**WHEREAS**, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC, has completed and submitted a Business Entity Disclosure Certification which certifies that Richard P. Cushing, Esq. of Gebhardt & Kiefer, 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 Richard P. Cushing, Esq. of Gebhardt & Kiefer, 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*).

**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, 2008; 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. Allen to adopt this Resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mrs. Allen	-	Aye
Mrs. Muir	-	Aye
Mr. Shamey	-	Aye
Mayor Auriemma	-	Aye

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
SPECIAL COUNSEL SERVICES  
#R-2008-34**

**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 the Mayor and the Township Committee of the Township of Readington in the Liberty Hill Realty, Inc. and Renay Salamon v. the Township of Readington, *et al.* and other litigation as requested at a rate of \$205 per hour; and

**WHEREAS**, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC, has completed and submitted a Business Entity Disclosure Certification which certifies that Richard P. Cushing, Esq. of Gebhardt & Kiefer, 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 Richard P. Cushing, Esq. of Gebhardt & Kiefer, 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*).

**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, 2008; 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. Muir to adopt this Resolution, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

Mrs. Allen	-	Aye
Mrs. Muir	-	Aye
Mr. Shamey	-	Aye
Mayor Auriemma	-	Aye

***Purcell, Ries, Shannon, Mulcahy & O'Neill - Special Litigation Services***

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
SPECIAL COUNSEL SERVICES  
#R-2008-35***

**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**, Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O'Neill has submitted a proposal indicating she will act as Special Counsel at the following rates: Attorney – \$155 per hour; Paralegal - \$75 per hour, for the following matter:

- to represent the Township of Readington in the Waste Management of New Jersey, Inc., a Delaware Corporation v. Township of Readington, Hunterdon County, New Jersey litigation, Docket No. HNT-C-14027-06

***Purcell, Ries, Shannon, Mulcahy & O'Neill - Special Litigation Services***

**WHEREAS**, Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O'Neill has completed and submitted a Business Entity Disclosure Certification which certifies that Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O'Neill 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 Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O'Neill 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*).

**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 Valerie J. Kimson, 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, 2008; 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. Allen to adopt this Resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mrs. Allen	-	Aye
Mrs. Muir	-	Aye
Mr. Shamey	-	Aye
Mayor Auriemma	-	Aye

***Litigation - Waste Management of New Jersey v. Readington Twp. Board of Adjustment***

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

***Litigation - Joanze LLC v. Twp. of Readington, et al.***

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

***Litigation - Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8; Block 39, Lot 24 and Block 67, Lot 2 (Solberg Aviation - Hromoho)***

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

Mayor Auriemma said at this time Item #1 under New Business, “**Readington Board of Education’s Capital Improvement Referendum presentation**” will be addressed.

Dr. Jordan Schiff, Superintendent of Readington Township Schools, appeared before the Committee.

Dr. Schiff said the purpose of the presentation is to inform members of the Committee as well as members of the public about an important capital improvement project bond referendum that is scheduled for March 11<sup>th</sup>.

Dr. Schiff introduced Board of Education President Mark Berry, Vice President Joanne Sekella and Board Members Annette Marsh and David Livingston.

Dr. Schiff also introduced a representative from the Board’s architectural firm, as well as their facilities manager.

Dr. Schiff gave a short presentation highlighting each project that would be funded by the referendum, including the following:

- 1) Replacement of the Middle School Roof \$ 840,000:  
The roof is old and leaks in classrooms, hallways, and the library.
- 2) Heating, Ventilation, and Air Conditioning (HVAC) Replacements at the Middle School, Three Bridges School and Whitehouse School \$1,044,000:  
37 classroom units have exceeded their life expectancy. These units are loud and the insulation continues to deteriorate.
- 3) Repaving of the Middle School Parking Lot \$ 480,000:  
The parking lot behind the Middle School has many potholes and does not drain properly causing a safety hazard to children, staff, and visitors. Originally, they believed that this project would not be eligible to receive forty percent (40%) funding from the State. On Thursday, January 31st, the State found the paving project qualifies for forty per cent (40%) aid from the State.

Dr. Schiff said because sixty percent (60%) of the remaining cost of the projects has already been budgeted, there will be no additional tax increase to residents. The State will pay for forty percent (40%), but in order to obtain this State funding it is necessary to pass a bond referendum. The bond will be a one (1) year bond at an estimated interest of four percent (4%). The total bond payment will be just over \$2.4 million.

Dr. Schiff said additional information, answers to frequently asked questions and copies of the previously shown video are available on the Board of Education's website. He asked if copies of information could be made available for residents at the Municipal Building.

Administrator Mekovetz said a link to the information could also be put on the Township's website.

A member of the public asked for the status of the hook-up to the sewer.

Engineer McEldowney said that the Treatment Works Approval that is required to construct the force main and pumping station requires an amendment to the Township's Wastewater Management Plan. The amendment requires the preparation of documents that are going to be developed over the next several months. Prior to that it is necessary that a pre-application meeting be scheduled.

Attorney Dragan said the sewer agreement is in the process of being drafted.

Dr. Schiff thanked the Committee for allowing him to make his presentation.

**CONSENT AGENDA:**

1. **APPROVAL OF THE MINUTES** of meeting of January 22, 2008.
2. **Ferruggia Associates, LLC/Block 1.01, Lots 1.05 & 1.06** - request for release of unused escrow funds (\$4,137.54).
3. **Vacation Carryover** - resolution.

**TOWNSHIP OF READINGTON  
RESOLUTION  
#R-2008-36**

**WHEREAS**, Section 8.3 of the Readington Township Personnel Policies, Practices and Regulations permits employees to carry over vacation days of the current year, and

**WHEREAS**, permission to do so must be granted by the Township Committee, and

**WHEREAS**, current year vacation days carried over into the subsequent year must be used by March 31, and

**WHEREAS**, the following employees have requested carry-over of the vacation time noted:

<u>NAME</u>	<u>HOURS</u>
Andrews	28
Ayotte	48
Babb	8
Barczyk	44
Benecchi	82.5
Bolek	20
Brown	72
Campbell	10
Carro	7
Clapp	63
Crater	12
Dewire	24
Donaruma	32
Drews	12
duFossé	12
Gooley	10

Gould	40
Grear	.50
Gysi	8
Heater	28
Heycock	38
Hoofatt	52
Housel	7
Hudecek	32
Insabella	36
Jacukowicz	8.5
Jessemen	40
Kaulius	24
Kennedy	48
Kenney	37.5
Konn	21
Kovonuk	20
Lemieux	.50
Liddane	43
Madeano	24
Mailler	7
Marcine	50
Mastro	40.5
McConnell	58.5
Mekovetz	48
Mitchell	17
Paganessi	21.5
Paustian	19
Przewozny	31.5
Riva	42
Rodas	42
Rosa	12
Rubino	7.5
Santo	16
Slutter	7
Stoveken	42
Vurckio	16
Wester	48

***NOW, THEREFORE, BE IT RESOLVED*** that the Township Committee does hereby grant permission for the requests as presented.

4. ***Awarding of Bond Anticipation Notes*** - \$38,000,000 awarded to Axiom Capital Management, Inc.
5. ***Application for Membership in NJ Firemen's Association*** – Andrew G. Camp.
6. ***Application for Membership in NJ Firemen's Association*** – John Bulick.
7. ***Application for Membership in NJ Firemen's Association*** – Alfred T. Maguire.
8. ***Application for Membership in NJ Firemen's Association*** – Jesse E. Engesser.
9. ***Lien Redemptions*** – resolution.

**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 48, Lot 10; and

***WHEREAS***, it is the desire of the Tax Collector to refund to the lien holder the redemption amount; and

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$17,488.98, plus a premium paid of \$20,000.00, known as Tax Sale Certificate #546, to the lien holder, Crusader Lien Services.

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

**WHEREAS**, the Tax Collector has recommended the following refunds:

<b>BLOCK/LOT</b>	<b>REFUND TO</b>	<b>REASON</b>	<b>AMOUNT</b>
<b><u>2007</u></b>			
43/7	Murphy, Richard & Julie	vet deduction	\$250.00
47/7	Truppi, Anthony & Karen	county appeal	\$178.88
80/7	Moloff, Michael & D. Huff	county appeal	\$355.51

**NOW, THEREFORE, BE IT RESOLVED BY** the Township Committee that the Township Treasurer be authorized to refund the amounts recommended.

10. **Payment of the Bills.**

<b><u>Fund Description</u></b>	<b><u>Fund No.</u></b>	<b><u>Received Total</u></b>
CURRENT FUND APPROPRIATION	001	\$ 642,004.37
SEWER APPROPRIATION	002	\$ 100,373.42
TRUST APPROPRIATION	003	\$ 4,576.57
CAPITAL APPROPRIATIONS	004	\$ 20,172.40
MISC REFUND, COUNTY TAX, LIENS	005	\$ 3,378,335.81
PAYROLL DEDUCTIONS	006	\$ 143,293.75
REGIONAL AND LOCAL SCHOOL TAX	007	\$ 2,377,511.79
TOTAL OF ALL FUNDS:		\$ 6,666,268.11

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

Mrs. Allen - Aye  
 Mrs. Muir - Aye  
 Mr. Shamey - Aye  
 Mayor Auriemma - Aye

**CORRESPONDENCE/OTHER INFORMATION:**

- Letter dated January 22, 2008 from Mary Ann D' Andrade regarding **dangerous intersection at Pulaski, Kosciusko & School Roads.**

Mrs. Allen asked if Engineer McEldowney could look into this matter further.

Engineer McEldowney said there is an existing file in the Engineer's office regarding this intersection. He said he would like to review this file with DPW Director Scott Jesseman as well as make a site visit. He would then report back to the Committee with his recommendations.

Mayor Auriemma asked if a four (4) way stop would help to alleviate the situation.

Engineer McEldowney said that there would have to be accident reports to support that idea because the NJDOT does not support four (4) way stops unless it's really necessary for the safety and welfare of residents.

Mrs. Allen suggested that a letter be sent to Ms. D' Andrade informing her that the matter was discussed at the Committee meeting and that the Engineer and Director of Public Works will be looking at the intersection and making recommendations to the Committee. She also suggested that copies of any police accidents reports for that location be obtained.

2. Letter dated January 24, 2008 from Sue Dziamara, Director, Hunterdon County Planning Board, **regarding update to the County Transportation Plan**, noted for information. No action taken.
3. Letter dated January 25, 2008 from Sue Dziamara, Director, Hunterdon County Planning Board, regarding **invitation to participate on the Steering & Stakeholder Committees for the “Route 202 Corridor Assessment and Multimodal Mobility Plan Study.”**

Mr. Shamey volunteered to serve as the designated municipal representative for this study and Mrs. Allen volunteered to be the alternate.

4. Notice dated January 29, 2008 from William G. Dressel, Jr., Executive Director, NJ State League of Municipalities regarding **opposition to A-816 (Municipal Prosecutor Mandates) and A-786 (Paid Family Leave)**.

The following resolution was offered for consideration:

**TOWNSHIP OF READINGTON  
RESOLUTION  
R-2008-37**

**WHEREAS**, S-786, which would authorize up to six (6) weeks of employee paid family leave (family temporary disability leave) during any twelve (12) month period during which an employee could take time off to care for an ill family member, or a newborn or recently adopted child; and

**WHEREAS**, employees would receive two-thirds of their weekly salary, up to \$5224 per week; and

**WHEREAS**, employees would have to exhaust maternity and disability leave time prior to being eligible for paid family leave and would have to also use at least two (2) weeks of sick and vacation time before using paid family leave; and

**WHEREAS**, beginning next January 1<sup>st</sup> employees would be required to contribute 0.14% of their earned wages to the State Disability Fund, which would then deposit the money into a fund reserved exclusively for the Family Leave Program and in 2010 the percentage would increase to 0.18%proposes to extend Temporary Disability Insurance protection to provide up to 12 weeks of paid family leave for workers caring for sick family members; and

**WHEREAS**, while this new benefit will be funded by an assessment of employee wages, a major concern for municipalities is that this new assessment might impact collective bargaining; and

**WHEREAS**, these amendments do not render S-786 any more acceptable.

**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 in opposition of S-786 for the reasons outlined above; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be sent to Governor Jon S. Corzine, Senator Leonard Lance, Assemblyman Michael Doherty, Assemblywoman Marcia Karrow and to the New Jersey League of Municipalities.

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

5. Memorandum dated January 24, 2008 from Roberta Brassard, Municipal Clerk, Twp. of Tewksbury, regarding **public hearing of an Ordinance to Amend an Ordinance Whose Short Title is “Tewksbury Township Development Regulations Ordinance (2000),”** noted for information. No action taken.

6. Letter dated January 25, 2008 from H. Clay McEldowney regarding application for ***Special Activity Transition Area Waiver for Redevelopment of Parking Area***, noted for Information. No action taken.
7. Letter dated January 25, 2008 from Virginia Kop' Kash, Manager, Division of Land Use Regulation, regarding ***Authorization for Freshwater Wetlands Statewide General Permit No. 1 - Block 64, Lot 51 (Boglioli)***, noted for information. No action taken.
8. Letter dated January 15, 2008 from Andrew Gale, Supervisor, General Permit Unit, Division of Land Use Regulation, regarding ***Freshwater Wetlands Statewide General Permit No. 10 – Block 12.01, Lot 14.02 (Emmett)***, noted for information. No action taken.
9. Letter dated January 15, 2008 from Kenneth J. Kloo, Administrator, Office of Brownfield Reuse, NJDEP, ***regarding Area of Concern – one (1) 550 Gallon #2 Heating Oil Underground Storage Tank – Block 53, Lot 9.06***, noted for information. No action taken.
10. Letter dated October 31, 2007 from Edward A. Kuc, Principal Ecologist, regarding ***Block 32, Lot 12 & Block 34, Lots 10 & 11 (Fallone Properties, LLC) establishing where regulated wetlands (if any) are found on the property***, noted for information. No action taken.
11. Letter dated January 17, 2008 from Ericka Naklicki, Staff Environmental Scientist, regarding ***application for Freshwater Wetlands Letter of Interpretation/Line Verification***, noted for information. No action taken.

**OLD BUSINESS:**

1. ***Solberg Airport*** – update.  
Mayor Auriemma said this matter was addressed earlier in the meeting.
2. ***Spring Meadows Estates*** – request for reduction of Performance Bond.  
Action on this matter was deferred until the next meeting.

**NEW BUSINESS:**

1. ***Readington Board of Education's Capital Improvement Referendum*** – presentation.

This item was addressed earlier in the meeting.

2. ***Adoption of New Jersey Housing Code*** – discussion.

Mrs. Allen said at the last meeting County Health Department Director John Beckley gave a presentation during which he suggested that the Township consider adopting this Code. Several municipalities in Hunterdon County have already done so.

Attorney Dragan said there are two (2) different draft ordinances in the information that was distributed. She said the Committee should review both carefully to determine which ordinance should be considered for introduction.

Attorney Dragan said the Township did adopt the Housing Code from the 1960's but it has never been updated.

Action on this matter was deferred until the next meeting.

3. ***Ordinance to Exceed the Municipal Budget Cost of Living Allowance and to Establish a CAP Bank when the COLA is Equal to or Less than 3.5%*** - introduction.

Administrator Mekovetz said that the CAP rate set by the Division of Local Government Services for 2008 is 2.5%. The Governing Body may, by adoption of this ordinance, increase the CAP base an additional 1% for a total of 3.5%. The Township has adopted this

ordinance in the past and it allows the Township to increase the bottom line of the budget.

The following Ordinance was offered for introduction:

**CALENDAR YEAR 2008  
TOWNSHIP OF READINGTON  
ORDINANCE TO EXCEED MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**Ordinance #04-2008**

**WHEREAS**, the Local Government Cap Law, *N.J.S.A. 40A:4-45.1 et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year=s final appropriations, subject to certain exceptions; and,

**WHEREAS**, *N.J.S.A. 40A:4-45.15a* provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Readington in the County of Hunterdon finds it advisable and necessary to increase its CY 2008 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

***Ordinance to Exceed the Municipal Budget Cost of Living Allowance and to Establish a CAP Bank when the COLA is Equal to or Less than 3.5% - continued:***

**WHEREAS**, the Township Committee of the Township of Readington hereby determines that a 3.5% increase in the budget for said year, amounting to \$430,969.04 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township Committee of the Township of Readington hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two (2) succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Readington, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2008 budget year, the final appropriations of the Township of Readington shall, in accordance with this ordinance and *N.J.S.A. 40A:4-45.14*, be increased by 1%, amounting to \$123,134.01, and that the CY 2008 municipal budget for the Township of Readington be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Mrs. Allen	-	Aye
Mrs. Muir	-	Aye

Mr. Shamey - Aye  
Mayor Auriemma - Aye

Public Hearing was scheduled for Tuesday, February 19, 2008 at 8:00 p.m.

4. ***Ferruggia Associates, LLC/Block 1.01, Lots 1.05 & 1.06*** - request for release of unused escrow funds (\$4,137.54).

This item was addressed under the Consent Agenda.

5. ***Vacation Carryover*** - Resolution.

This item was addressed under the Consent Agenda.

6. ***Awarding of Bond Anticipation Notes.***

This item was addressed under the Consent Agenda.

7. ***Application for Membership in NJ Firemen's Association*** – Andrew G. Camp.

This item was addressed under the Consent Agenda.

8. ***Application for Membership in NJ Firemen's Association*** – John Bulick.

This item was addressed under the Consent Agenda.

9. ***Application for Membership in NJ Firemen's Association*** – Alfred T. Maguire.

This item was addressed under the Consent Agenda.

10. ***Application for Membership in NJ Firemen's Association*** – Jesse E. Engesser.

This item was addressed under the Consent Agenda.

#### ***ADMINISTRATOR'S REPORT:***

Administrator Mekovetz gave the following tentative distribution dates for the 2008 Township newsletter: March 12<sup>th</sup>; May 29<sup>th</sup>; August 1<sup>st</sup> and November 14<sup>th</sup>.

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

#### ***ATTORNEY'S REPORT:***

Written report submitted.

Attorney Dragan said she has prepared draft specifications for renovations of the Bouman-Stickney house. She has several questions for the architect, but once they have been addressed the specifications will be ready for advertising.

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

#### ***ENGINEER'S REPORT:***

Written report submitted.

Engineer McEldowney said he prepared a letter concerning comments on the new Flood Hazard Area Control Act rules. He asked that they be placed on the agenda for discussion at the next meeting.

Engineer McEldowney said the application was submitted to the NJDEP for a Freshwater Wetlands Transition Area Waiver for the Bank Street parking lot.

Mayor Auriemma said at the last meeting the Committee had discussed the possible installation

of “No Parking or Standing” signs on a section of Lightfield Road. He asked if Engineer McEldowney had any additional information regarding this matter.

Engineer McEldowney said he is waiting to get a report back from a member of his staff. He should have a recommendation at the next meeting.

Mayor Auriemma asked if Engineer McEldowney had looked into the drainage issue at Summer Road park.

Engineer McEldowney said he will schedule a site visit with DPW Director Scott Jesseman.

Mayor Auriemma suggested that Recreation Director Greta Kenney be included in this visit.

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

***COMMITTEE REPORTS:***

**1. Thomas Auriemma:**

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

**2. Julia Allen:**

**a. Farmland\Open Space Preservation\Land Projects Liaison**

Mrs. Allen said an Open Space walk is scheduled for Sunday, February 10<sup>th</sup> on the Lachenmayer trail. Anyone who is interested should meet at the Municipal Building at 1:00 p.m.

**b. Sewer Advisory Committee**

Mrs. Allen said there is a Sewer Advisory Committee meeting scheduled for Wednesday, February 6<sup>th</sup> at 6:00 p.m.

Mrs. Allen said she had nothing further to report at this time.

**3. Frank Gatti:**

As Mr. Gatti was not in attendance, no report was given.

**4. Beatrice Muir:**

Mrs. Muir said she had nothing to report at this time.

**5. Gerard Shamey:**

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

**COAH RESOLUTION**

Mrs. Allen suggested that the Committee consider adopting a resolution regarding COAH’s proposed Third Round Affordable Housing rules.

The resolution expresses the Township’s concerns about the unreasonable requirements the rules would place on the municipality, the negative impact they would have upon economic development in New Jersey and the higher tax burden that municipal property taxpayers would have to pay.

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON  
RESOLUTION  
R-2008-38***

**WHEREAS**, on December 17<sup>th</sup>, 2007 COAH made public it=s new proposal for the Third Round Affordable Housing Rules and these regulations, if adopted, will impose unreasonable requirements upon our municipality; and

**WHEREAS**, these regulations, if adopted, will have a negative impact upon economic development within the State of New Jersey; and

**WHEREAS**, under the new proposal, our municipality is being required to plan for affordable housing based upon growth which is unlikely to occur, since COAH has used a flawed approach in calculating prospective growth; and

**WHEREAS**, under the new proposal, the large retroactive obligation will serve to undermine prior compliance efforts, requiring municipal property taxpayers to suffer a higher tax burden; and

**WHEREAS**, residential development generating such a high growth share obligation will create a shortfall that must be paid by property tax payers, since either the proposed Development fee, or the proposed Payments in lieu are insufficient to pay for municipal construction of units, since the proposal understates construction costs and overstates the average sale price of units; and

**WHEREAS**, Regional Contribution Agreements, increased to \$67,000 per unit with no commensurate funding source, will create a chilling effect upon this statutorily recognized compliance mechanism, which will harm rural, suburban and urban municipalities alike; and

**WHEREAS**, economic development will be negatively impacted by these aggressive Growth Share ratios, since Payment in lieu, will add over \$25 per square foot to the cost of office construction; and

**NOW THEREFORE BE IT RESOLVED**, that although the Township Committee of the Township of Readington recognizes that Growth Share, as a concept, can work on a prospective basis if the ratios are reasonable and sustainable, it implores the members of the Council, and the COAH staff, to recognize that there is a limit to what municipalities and developers can be called upon to satisfy in terms of an affordable housing obligation; and

**BE IT FURTHER RESOLVED** that the Readington Township Committee respectfully asks COAH to reconsider these regulations since, as proposed, they will have a negative impact upon economic development in the Township and in the State as a whole, and will financially over-burden our Township=s property taxpayers; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be attached to the letter to Commissioner Doria and that the letter and resolution be sent to Senator Leonard Lance, Assemblyman Michael Doherty, Assemblywoman Marcia Karrow and the Hunterdon County Board of Chosen Freeholders and to surrounding municipalities.

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

Mrs. Allen	-	Aye
Mrs. Muir	-	Aye
Mr. Shamey	-	Aye
Mayor Auriemma	-	Aye

#### **COMMENTS FROM THE PUBLIC.**

Mayor Auriemma asked for comments from the public.

Mr. Jerry Cook asked about the status of the installation of an exit only sign at the Station Center Mall. He said last week he saw a school bus using the exit as an entrance.

Mrs. Allen suggested that a meeting be scheduled with the owner of the mall. All agreed.

**COMMENTS FROM THE GOVERNING BODY.**

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

**ADJOURNMENT**

As there was no further business, a motion was made by Mrs. Muir at 8:45 p.m., seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\MMC\RPPO  
Administrator\ Municipal Clerk