

**READINGTON TOWNSHIP COMMITTEE
MEETING - MAY 1, 2006**

Mayor Shamey *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 Shamey, Deputy Mayor Auriemma, Mrs. Allen, Mr. Gatti and Mrs. 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>	<u>Date Anticipated When Discussion Will Be Disclosed to Public</u>
Emergency Management.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Police Department.....	Personnel.....	" " "
PBA – Sergeant’s Contract.....	Contract Negotiations.....	" " "
PBA – Lieutenant’s Contract.....	Contract Negotiations.....	" " "
Awarding of Three Bridges Pump Station Bid.....	Contract Negotiations.....	" " "
Administration of Contract for Three Bridges Pump Station.....	Contract Negotiations.....	" " "
Block 63, Lot 45 (Holman).....	Contract Negotiations.....	" " "
Block 98, Lot 2 (Padovani).....	Contract Negotiations.....	" " "
Stanton Properties.....	Contract Negotiations.....	" " "
Professional Services: Studer & McEldowney – Municipal Engineering Services.....	Contract Negotiations.....	" " "
Executive Session Minutes - April 17, 2006.....	Attorney-Client Privilege.....	" " "
Township of Readington v. General Star Insurance Co. & Summit Risk Services.....	Litigation.....	" " "
Block 48, Lot 23; Block 55, Lot 33;		

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

The meeting reconvened at 8:06 p.m.

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

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

Personnel – Emergency Management

A MOTION was made by Mr. Auriemma to increase the hours for Emergency Management Coordinator, Joel Kerwin, from one half day to one full day at a rate of \$25/hr. This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Personnel - Police Department

A MOTION was made by Mr. Gatti to hire Kenneth Drews on the condition of successful completion at the Somerset Police Academy at the rate per contract for a 1st year recruit. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Contract Negotiations - PBA – Sergeants

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

Contract Negotiations - PBA – Lieutenants

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

Contract Negotiations – Awarding of Three Bridges Pump Station Bid

A MOTION was made by Mr. Gatti to award the bid for the Three Bridges Pump Station upgrade to DeMaio Electrical Co. in the amount \$399,103.00 upon the recommendation of Jacobs BBL. This is the second lowest bid. The lowest bid did not furnish all necessary documentation, including non-waiverable documents. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Contract Negotiations – Administration of Contract for Three Bridges Pump Station

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

Contract Negotiations - Block 63, Lot 45 (Holman)

A ***MOTION*** was made by Mrs. Allen to approve a Joint Purchase Agreement with Hunterdon County, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

A ***MOTION*** was made by Mrs. Muir to approve an Ownership Maintenance Agreement with Hunterdon County, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations – Block 98, Lot 2 (Padovani)

Mayor Shamey said this matter will be discussed as “New Business – Item #8”.

Contract Negotiations - Stanton Properties

Mayor Shamey said this matter will be discussed as “New Business – Item #9”.

Contract Negotiations - Professional Services: Studer & McEldowney – Municipal Engineering Services

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL ENGINEERING AND PROFESSIONAL LAND SURVEYING SERVICES
#R-2006-60***

WHEREAS, the Township of Readington has a need to acquire Professional Engineering and Professional Land Surveying Services as a non-fair and open contract pursuant to the 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, Studer & McEldowney, PA has submitted a proposal indicating they will provide Professional Engineering and Professional Land Surveying Services for rates as detailed in the contract; and

WHEREAS, Studer & McEldowney, PA has completed and submitted a Business Entity Disclosure Certification which certifies that Studer & McEldowney, PA 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 Studer & McEldowney, PA 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 Studer & McEldowney, PA 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, 2006; 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. Muir to adopt this Resolution, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Attorney-Client Privilege – Executive Session Minutes (April 17, 2006)

A MOTION was made by Mr. Gatti to approve the Executive Session Minutes from the meeting of April 17, 2006 for content. This motion was seconded by Mrs. Allen and on Roll Call vote and on Roll Call vote the following was recorded:

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

Litigation – Township of Readington v. General Star Insurance Co. & Summit Risk Services

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

Contract Negotiations - 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 Shamey said that this matter will remain in Executive Session.

CONSENT AGENDA:

1. ***Recycling Tonnage Grant*** – resolution

***TOWNSHIP OF READINGTON
TONNAGE GRANT APPLICATION RESOLUTION
R-2006-65***

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs, and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Township Committee of the Township of Readington to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Director of Public Works/Municipal Recycling Coordinator Scott Jesseman to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

2. **Correction to Professional Services Contract/CN Communications** – resolution

**TOWNSHIP OF READINGTON
RESOLUTION
R-2006-64**

WHEREAS, the Township Committee of the Township of Readington approved a Professional Services Contract with CN Communications at their April 3, 2006 regular meeting; and

WHEREAS, the contract, as approved, contained a clerical error; and

WHEREAS, it is the desire of the Township Committee to amend this Contract to correct the clerical error and remove the following language:

SECTION 1 - GENERAL CONSULTATION SERVICES

Consultant shall provide materials testing, soils analysis, construction inspections related to such testing and written engineering reports on an Aas needed@ basis.

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

1. Professional Services Contract with CN Communications is hereby amended as follows:

The following language shall be removed from the contract:

SECTION 1 - GENERAL CONSULTATION SERVICES

Consultant shall provide materials testing, soils analysis, construction inspections related to such testing and written engineering reports on an Aas needed@ basis.

2. This Resolution shall take effect immediately.
3. **Applications for Raffle Licenses** – Whitehouse Rescue Squad
4. **Payment of the Bills**

Fund Description	Fund No.	Received Total
CURRENT FUND APPROPRIATION	001	\$
SEWER APPROPRIATION	002	\$
TRUST APPROPRIATION	003	\$

CAPITAL APPROPRIATIONS	004	\$
MISC. REFUND, COUNTY TAX, LIENS	005	\$
PAYROLL DEDUCTIONS	006	\$
REGIONAL AND LOCAL SCHOOL TAX	007	\$
TOTAL OF ALL FUNDS:		\$

A MOTION was made by Mr. Gatti 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
Mr. Auriemma-	Aye (except for minutes of April 17, 2006 as he did not attend the meeting)	
Mr. Gatti	-	Aye
Mrs. Muir	-	Aye
Mayor Shamey	-	Aye

PUBLIC HEARINGS:

As it was after 8:00 p.m., *A MOTION* was made by Mrs. Muir to adjourn the regular meeting to hold a Public Hearing. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Ordinance #14-2006

Clerk read by Title:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN ROADWAYS WITHIN THE RESIDENTIAL DEVELOPMENT KNOWN AS STANTON RIDGE IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM STANTON PROPERTIES, II, A NEW JERSEY GENERAL PARTNERSHIP

Ordinance #14-2006

Mayor Shamey stated that the roads pertaining to this ordinance are Dogwood Drive, a portion of Clubhouse Drive from Clear View Road to Dogwood Drive, Pond View Court and High Ridge Court.

Mayor Shamey asked if there were any comments from the Governing Body. There were none.

Mayor Shamey asked if there were any comments from the public. There were none.

A MOTION was made by Mrs. Muir to close the Public Hearing. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN ROADWAYS WITHIN THE RESIDENTIAL DEVELOPMENT KNOWN AS STANTON RIDGE IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM STANTON PROPERTIES, II, A NEW JERSEY GENERAL PARTNERSHIP

Ordinance #14-2006

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

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

Ordinance #17-2006

A MOTION was made by Mrs. Muir to adjourn the regular meeting to hold a Public Hearing. This motion was seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE TOWNSHIP'S SHARE OF THE ACQUISITION OF PROPERTY PURSUANT TO A JOINT PURCHASE AGREEMENT WITH THE COUNTY OF HUNTERDON IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$74,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$70,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

Ordinance #17-2006

Mayor Shamey stated that this is the Holman property and is an approximately five (5) acre parcel on Round Mountain and is contiguous to other preserved Township parcels.

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

Mrs. Allen stated that the County has had a \$3,000,000 grant from Green Acres for several years to preserve tracts of mature woodland forest on Round Mountain. This acreage will add to the parcels on Round Mountain that have already been preserved.

Mayor Shamey asked if there were any comments from the public. There were none.

A MOTION was made by Mrs. Muir to close the Public Hearing. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE TOWNSHIP'S SHARE OF THE ACQUISITION OF PROPERTY PURSUANT TO A JOINT PURCHASE AGREEMENT WITH THE COUNTY OF HUNTERDON IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$74,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$70,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

Ordinance #17-2006

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

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

Readington Wine & Spirits, LLC

Mayor Shamey stated that this will be carried to the next meeting (May 15, 2006).

CORRESPONDENCE/OTHER INFORMATION:

1. Resolution from the Readington Township Board of Education *expressing opposing the expansion of Solberg Airport and encouraging the Township Committee to take appropriate action to prevent such expansion*, noted for information. No action taken.
2. Notice dated April 10, 2006 from William G. Dressel, Jr., Executive Director, NJ State League of Municipalities *regarding resolution supporting A-1425 on Cap Law Relief*, noted for information. No action taken.
3. Notice dated April 13, 2006 from William G. Dressel, Jr., Executive Director, NJ State League of Municipalities regarding *update on Low Speed Vehicles*, noted for information. No action taken.
4. Notice dated April 21, 2006 from William G. Dressel, Jr., Executive Director, NJ State

- League of Municipalities regarding *Safe Kids New Jersey and National Safe Kids Week*, noted for information. No action taken.
5. Notice dated April 24, 2006 from William G. Dressel, Jr., Executive Director, NJ State League of Municipalities regarding *Amendment to Binding Arbitration Statute*, noted for information. No action taken.
 6. Letter dated April 19, 2006 from Tadgh Rainey, Program Director, Mosquito & Vector Control, Hunterdon County Health Dept., *regarding black fly control*, noted for information. No action taken.
 7. Memorandum dated April 11, 2006 from Sharon L. Brienza, Municipal Clerk, Twp. of Branchburg, regarding *public hearing of Ordinance #2006-1020 Amending the Land Development Ordinance of the Twp. of Branchburg by adding a new section 12-2 entitled "Stormwater Control for Major Development,"* noted for information. No action taken.
 8. Notice dated April 18, 2006 from Dorothy L. Gooditis, Municipal Clerk, Twp. of Raritan, regarding *public hearing of the following:*
 - *Ordinance #06-11 - to Amend an Ordinance entitled "Revised General Ordinances of the Twp. of Raritan," and more specifically to amend Chapters 16.18, 16.20, 16.80 and 16.84 (Stormwater Regulations).*
 - *Ordinance #06-14 - to Amend an Ordinance entitled "Revised General Ordinances of the Twp. of Raritan," and more specifically Titles 2 and 16 and more specifically Sections 2.100.020, 16.18.050, 16.20.050, 16.08.090 and 16.78.050.*

The items listed above were noted for information. No action taken.

9. Notice dated April 18, 2006 from Christopher J. Teasdale, Chairman, Tewksbury Twp. Environmental Commission, *expressing support for Readington Township's petition to upgrade the classification of a portion of the Rockaway Creek*, noted for information. No action taken.
10. Resolution from the Township of West Amwell *opposing Senate Bill 1219 concerning amendments to the Open Public Meetings Act*, noted for information. No action taken.
11. Letter dated April 3, 2006 from Andrew D. Gale, Supervisor, Land Use Regulation Program, regarding *Approval of Application for Transition Area Waiver - Yogeshkumar Bhatt/Hindu Sanatan Dharma Seva Mandal, Inc., Block 38, Lot 38.01*, noted for information. No action taken.
12. Letter dated April 20, 2006 from Robert S. Rogers, PhD, regarding *application for Freshwater Wetlands Letter of Interpretation - Coddington Homes, Inc., Block 32, Lot 9*, noted for information. No action taken.
13. Notice from Public Service Electric & Gas regarding *filing of a petition with the New Jersey Board of Public Utilities requesting an increase in charges for gas service*, noted for information. No action taken.

OLD BUSINESS:

1. *Solberg Airport* – update by Mayor Shamey.

Mayor Shamey gave a presentation regarding the status of negotiations relative to Solberg Airport. This presentation is the same one which will be used at the informational meetings scheduled during May at various locations throughout the Township.

Mayor Shamey read a resolution from the Board of Education stating their opposition to expansion of the airport and their support of the Committee's actions to prevent any such expansion.

2. *Vare/Block 25, Lot 43.09* - request for permission to direct water discharge to retention basin.

Engineer McEldowney stated that he conducted an inspection at the Vare residence and is satisfied that there are no environmental problems and at this time there is no comingling with ground water and sanitary waste.

A MOTION was made by Mrs. Allen to permit direct water discharge from Block 25, Lot 43.09 to a retention basin. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

3. **Saunders Legatees, LLC/Victory Lane Car Wash** - request for release of Performance Bond.

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
 RESOLUTION
 R-2006-61**

WHEREAS, Saunders Legatees, LLC/Victory Lane Car Wash, Inc. did on March 23, 2006 file a written request with the Clerk of the Township of Readington for the release of Performance Bond #S05545 for work completed on Block 34, Lot 31; and

WHEREAS, the Township Engineer has reviewed this request, conducted a final inspection of bonded items, and has no objection to the release of these funds, as indicated in his Letter dated May 1, 2006.

DEVELOPMENT	BOND OR CHECK	ORIGINAL BONDED AMOUNT @ 120%	CURRENT REMAINING PERFORMANCE GUARANTEE @ 120% VALUE	RECOMMENDED REDUCTION BY (%) FOR WORK COMPLETED	REMAINING PERFORMANCE GUARANTEE @ 120% VALUE
Saunders Legatees, LLC/Victory Lane Car Wash, Inc. Block 34, Lot 31	First Indemnity of America Insurance Co. #S05545	\$329,573.81	\$329,573.81	100%	\$0.00
Saunders Legatees, LLC/Victory Lane Car Wash, Inc. Block 34, Lot 31	Check #1165	\$5,000.00	\$5,000.00	100%	\$0.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that authorization is hereby given to release Performance Bond #S05545 for Saunders Legatees, LLC/Victory Lane Car Wash, Inc., as recommended by the Township Engineer; and

BE IT FURTHER RESOLVED, that authorization is given to the Township Clerk to forward a copy of this Resolution approving the release to the applicant.

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

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

4. **Wilmark Building Contractors, Inc.** – request for release of Performance/Cash Bonds.

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
 RESOLUTION**

R-2006-62

WHEREAS, Wilmark Building Contractors, Inc. did on March 24, 2005 file a written request with the Clerk of the Township of Readington for the release of Performance Bond #122176 for Wilmark at Readington Phase I and Irrevocable Letter of Credit #109 for Wilmark at Readington Phase III for work completed on Block 25, Lots 43 & 50; and

WHEREAS, the Township Engineer has reviewed this request, conducted a final inspection of bonded items, and has no objection to the release of these funds, contingent upon receipt of two (2) year Maintenance Bonds in the amount of \$71,339.40 for Phase I and \$26,425.00 for Phase III, as indicated in his Letter dated May 1, 2006.

DEVELOPMENT	BOND OR CHECK	ORIGINAL BONDED AMOUNT @ 120%	CURRENT REMAINING PERFORMANCE GUARANTEE @ 120% VALUE	RECOMMENDED REDUCTION BY (%) FOR WORK COMPLETED	REMAINING PERFORMANCE GUARANTEE @ 120% VALUE
Wilmark at Readington Phase I Block 25, Lots 43 & 50	Frontier Insurance Co. #122176	\$567,475.20	\$194,138.16	100%	\$0.00
Wilmark at Readington Phase III Block 25, Lots 43 & 50	Somerset Valley Bank Irrevocable Letter of Credit #109	\$192,182.00	\$105,148.50	100%	\$0.00
Wilmark at Readington Phase III Block 25, Lots 43 & 50	Check #5470	\$19,218.20	\$10,514.85	100%	\$0.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that authorization is hereby given to release Performance Bond #122176 for Wilmark at Readington Phase I and Irrevocable Letter of Credit #109 for Wilmark at Readington Phase III, as recommended by the Township Engineer, contingent upon receipt of two (2) year Maintenance Bonds in the amount of \$71,339.40 for Phase I and \$26,425.00 for Phase III.

BE IT FURTHER RESOLVED, that authorization is given to the Township Clerk to forward a copy of this Resolution approving the release to the applicant.

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

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

5. **Readington Trails Association** – placement of Horse Crossing signs in Readington Township.

A MOTION was made by Mrs. Allen to approve the placement of horse crossing signs in the Township on the condition that the signs comply with Lt. Oldenburg’s recommendations. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

NEW BUSINESS:

1. **Resolution to confirm Ballot Question & Interpretive Statement for May 16, 2006 Special Election.**

The following Resolution was offered for consideration:

RESOLUTION OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AUTHORIZING AND RATIFYING THE FORM OF QUESTION AND INTERPRETATIVE STATEMENT IN CONNECTION WITH A SPECIAL ELECTION FOR THE PUBLIC REFERENDUM REGARDING BOND ORDINANCE #04-2006 APPROPRIATING \$22,000,000 FOR THE ACQUISITION OF CERTAIN PROPERTY

R-2006-63

WHEREAS, on February 21, 2006 the Readington Township Committee adopted Bond Ordinance #04-2006 appropriating \$22,000,000 for the acquisition of land for preservation and open space and authorizing the issuance of \$21,700,000 bonds or notes to finance such appropriation; and

WHEREAS, a petition was filed pursuant to the provisions of N.J.S.A. 40:49-7 through N.J.S.A. 40:49-12 seeking a public referendum on the bond ordinance; and

WHEREAS, a special election has been scheduled for this purpose for May 16, 2006; and

WHEREAS, the appropriate officials of the Township have undertaken the steps to provide for this special election including the drafting of the public question pursuant to N.J.S.A. 40:49-10 as well as an interpretative statement to accompany the question; and

WHEREAS, the Township desires to specifically approve the form of the question and the interpretative statement that will be voted on at the special election;

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

Section 1. A special election for the purposes set forth above is hereby authorized to be scheduled for May 16, 2006.

Section 2. The public question shall be as provided for in *N.J.S.A.* 40:49-10, and, as provided therein, shall specifically include the title to the bond ordinance as adopted by the Township Committee on February 21, 2006 as follows:

“BOND ORDINANCE PROVIDING FOR ACQUISITION OF AIRPORT AND LAND OR INTERSET IN LAND FOR PRESERVATION (BLOCK 48, LOT 23, BLOCK 55, LOT 33, BLOCK 56, LOTS 1, 3, 6 & 8, BLOCK 39, LOT 24 AND BLOCK 67, LOT 2; OWNER: SOLBERG AVIATION/HROMOHO), IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$22,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$21,700,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.”

Section 3. In accordance with the provisions of *N.J.S.A.* 19:3-6, there shall also be an interpretative statement accompanying the public question. Such interpretative statement shall consist of the following:

1. A “YES” vote to ratify this ordinance would provide the funding needed to acquire various parcels of land, including the open space lands surrounding the airport, and the development rights on lands currently used by the airport, for a purchase price not to exceed \$22,000,000.
2. A “NO” vote would defeat the bond ordinance and not permit the Township to obtain the funds and acquire the property.

Section 4. All actions taken by the officials of the Township in establishing the special election and preparing the wording of the public question as well as the interpretative statement are hereby approved. Any actions that may have been taken by any officials or other representatives of the Township in connection with the special election are hereby ratified and confirmed and shall be deemed to have been taken pursuant to the provisions of the resolution, to

the extent that such approval is deemed to be necessary.

Section 5. This resolution shall take effect immediately.

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

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

2. *Letter of resignation* from Stephanie Moore, Readington Twp. Board of Health.

A MOTION was made by Mrs. Muir to accept the resignation of Stephanie Moore from the Township Board of Health and to send her a letter thanking her for her service. This motion was seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

3. *Dreahook Road culvert* – elimination of pavement coloring.

A MOTION was made by Mr. Gatti to consent to the elimination of the pavement coloring on the Dreahook Road culvert on recommendation from Engineer McEldowney. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

4. *Whitehouse Methodist Church* – request for waiver of subdivision application fees.

A MOTION was made by Mrs. Allen to waive the subdivision application fees for the transfer of property from the Township to Whitehouse Methodist Church. This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

5. *Recycling Tonnage Grant* – resolution.

This item was addressed under the Consent Agenda.

6. *Correction to Professional Services Contract/CN Communications* – resolution.

This item was addressed under the Consent Agenda.

7. *Applications for Raffle Licenses* – Whitehouse Rescue Squad.

This item was addressed under the Consent Agenda.

8. *Contract Negotiations – Block 98, Lot 2 (Padovani)*

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2006-66**

WHEREAS, the State Agriculture Development Committee (SADC) certified the Fair Market Value (FMV) of \$16,300 per acre for the development easement on the Padovani Farm (Block 98, Lot 2 - 30+/- acres) property, which is contained in Readington Township's 2005A Planning Incentive Grant VIII list of farms; and

WHEREAS, the SADC approved the five (5) year allocation of \$4,206,150 to be appropriated from the Garden State Preservation Trust, Farmland Preservation Fund, for Readington Township's 2005A Planning Incentive Grant VIII application, conditioned upon

Garden State Preservation Trust, legislative and gubernatorial appropriation; and

WHEREAS, based on Readington Township’s application, the County of Hunterdon will provide a cost share for the purchase of the development easements, holding title to the development easements.

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

1. Approves the purchase of the development easement on Block 98, Lot 2 (Padovani Farm).
2. Commits to funding of the purchase of the development easement on Block 98, Lot 2 (Padovani Farm).
3. Authorizes funding pursuant to the Township’s five (5) year funding plan.

BE IT FURTHER RESOLVED, that the Municipal Clerk is directed to forward certified copies of this Resolution to the County Agricultural Development Board and the State Agricultural Development Committee as requested and required.

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

9. **Contract Negotiations - Stanton Properties**

A MOTION as made by Mrs. Muir to approve the Developer’s Agreement for Stanton Properties and to accept the streets in the Stanton Properties. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

ADMINISTRATOR’S REPORT:

Written report submitted.

Administrator Mekovetz stated that the Newsletter deadline is May 5, 2006.

Administrator Mekovetz stated that the Township received checks for the Fallon property in the amount of \$2,019,306 and the YES property in the amount of \$3,398.920.

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

ATTORNEY’S REPORT:

Written report submitted.

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

ENGINEER’S REPORT:

Written report submitted.

Engineer McEldowney stated that the NJDOT intends to approve the improvements along Route 22 adjacent to the WalMart property entrance and issue the necessary permits. Engineer McEldowney

advised the Committee to request an extension of the Performance Bond which will expire on May 30, 2006.

A MOTION was made by Mr. Gatti to authorize Attorney Dragan to send a letter to WalMart requesting an extension to the May 30, 2006 deadline for up to one (1) year regarding the funds for use on the Route 22 median. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

Mrs. Allen asked for status on the Senior Walkway. Engineer McEldowney stated that delays are due to new stormwater regulations issued by NJDEP, therefore, the application must be amended to accommodate these changes. The application has been re-filed and Engineer McEldowney anticipates hearing from the State soon.

Mrs. Muir requested that Engineer McEldowney attend the County pre-construction meeting on May 3, 2006 for the Barley Sheaf Road bridge (R-165). Engineer McEldowney stated that he would attend.

Mrs. Muir asked for an update on the Rockafellow's Mill Road bridge. Engineer McEldowney stated that he was assured by John Glynn, County Engineer, that there would be no paving of the stone portion that approaches the bridge on the Township side.

Mr. Gatti asked for an update on the NJ Transit Parking Lot. Engineer McEldowney stated that NJ Transit will have an inspector present for the duration of the work to insure their interests are not impacted in anyway. NJ Transit has also stated that they do not want any stormwater from the parking lot to drain toward their right-of-way. Engineer McEldowney also stated that the Township will need to submit a soil erosion permit.

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

COMMITTEE REPORTS:

1. Gerard Shamey:

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

2. Julia Allen:

a. Farmland\Open Space Preservation\Land Projects Liaison

Mrs. Allen reported that the Township, in conjunction with the State, completed the purchase of 144 acre wildlife management area on Rockafellow's Mill Road.

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

3. Thomas Auriemma:

Deputy Mayor Auriemma stated he had nothing to report at this time.

4. Frank Gatti:

Finance Department

a. Payment of the Bills.

This item was addressed under the Consent Agenda.

Mr. Gatti stated that he had nothing further to report at this time.

5. Beatrice Muir:

a. Board of Health

Mrs. Muir stated that the Board of Health is looking to fill the vacancy left from Ms. Moore's resignation and they are currently interviewing for the position.

Mrs. Muir also stated that the County will be using State funds to spray for black flies along the South Branch of the Raritan River.

b. Municipal Court

Mrs. Muir stated that municipal court records are available through the Court Administrator's office.

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

COMMENTS FROM THE PUBLIC:

Mayor Shamey asked for comments from the public.

Don Baldwin stated that due to recent events involving his family and an altercation with a Township Public Official on Township property, the Township Committee needs to be better stewards of Township property (Open Space) before attempting to acquire anymore land.

Jerry Cook asked if the barrels along the Whitehouse School property will be removed since construction is now complete. Mr. Cook also stated that the culverts along Railroad Lane need to be cleaned up as they are in bad shape. He stated that he contacted Public Works but nothing has been done. Administrator Mekovetz stated that she will look into this matter.

Debra Stassi said she supports the \$22 million bond. Ms. Stassi also asked if there is any information available relating to the costs to taxpayers if Solberg Airport succeeds with expansion and the bond referendum is not approved, which would include Hazmat runoff, police, fire, expansion of roads.

COMMENTS FROM THE GOVERNING BODY:

Mr. Gatti commented on the statement made by a resident about Township Open Space Property. He stated that the altercation did not involve a Township Official, but a Township volunteer. Mr. Gatti also said that the resident used the word "condemnation" and that this is not about condemnation, it is about approval of a \$22 million bond.

Mayor Shamey urged all Township residents to go out and vote, and to vote "yes" on May 16th to uphold this bond ordinance.

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>	<u>Date Anticipated</u> <u>When Discussion Will</u> <u>Be Disclosed to Public</u>
PBA – Sergeant's Contract.....	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential

PBA – Lieutenant’s Contract..... Contract Negotiations..... “ “ “

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 10:10 p.m. by Mr. Gatti to adopt this Resolution, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

The meeting reconvened at 10:30 p.m.

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

Contract Negotiations - PBA – Sergeant’s Contract

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

Contract Negotiations - PBA – Lieutenant’s Contract

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

ADJOURNMENT

As there was no further business, a motion was made by Mrs. Allen at 10:35 p.m., seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC
Administrator\Municipal Clerk