

**READINGTON TOWNSHIP COMMITTEE
MEETING – MAY 19, 2008**

Mayor Auriemma *calls the meeting to order at 6:00 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Mayor T. Auriemma, Deputy Mayor J. Allen, Mr. F. Gatti, Mrs. B. Muir, Mr. G. Shamey

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan, Engineer McEldowney

ABSENT: None

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-6 *et seq.*, the Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee is of the opinion that such circumstances presently exist and desires to authorize the exclusion of the public from the portion of the meeting in accordance with the act;

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

1. The public shall be excluded from discussion of and action upon the specified subject matter as set forth in the following Exhibit "A."

EXHIBIT A

<u>Subject Matter</u>	<u>Basis Of Public Exclusion</u>	<u>Date Anticipate When Disclosed to Public</u>
Land Acq/Contract Negotiations.....	Block 75, Lot 33 (HannaSaqa).....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Contract Negotiations/ Division of Correction.....	Labor Assistance Program.....	” “ “
Contract Negotiations.....	Block 4, Lot 18 (GABT, LLC)	“ “ “
Contract Negotiations.....	ARC of Hunterdon.....	“ “ “
Contract Negotiations.....	Block 3, Lot 3.01 (Renda).....	“ “ “
Attorney-Client Privilege.....	Executive Session Minutes (May 5, 2008)	“ “
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)	“ “ “
Litigation.....	Joanee LLC v. Twp. of Readington, <i>et al.</i>	“ “
Potential Litigation.....	COAH.....	” “ “

Personnel..... Personnel Matters.....” “ “

Personnel..... Police.....” “ “

It is anticipated at this time that the stated subject matter will be made public on or about the time set forth in Exhibit “A”.

2. This Resolution shall take effect immediately.

A **MOTION** was made at 6:00 by Mrs. Muir to adopt this resolution, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

The meeting reconvened at 8:25 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:

Mr. Gatti arrived at Executive Session at 7:30 p.m. he therefore, abstained from voting on those matters for which he was not part of the discussion.

Land Acquisition/Contract Negotiations/Block 75, Lot 33 (HannaSaqa)

A **MOTION** was made by Mrs. Allen to approve the amended contract, seconded by Mr. Shamey and on Roll Call vote the following was recorded:

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

Contract Negotiations/Division of Corrections/Labor Assistance Program

Mayor Auriemma stated this mater would remain in Executive Session.

Contract Negotiations/Block 4, Lot 18 (GABT, LLC)

A **MOTION** was made by Mr. Shamey to approve the agreement regarding the return of sewer capacity as amended, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations/ARC of Hunterdon

A **MOTION** was made by Mrs. Muir to approve the contribution agreement, seconded by Mr. Shamey and on Roll Call vote the following was recorded:

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

A **MOTION** was made by Mrs. Allen to make payment out of the Housing Trust Account, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/Block 3, Lot 3.01 (Renda)

Mayor Auriemma stated that this matter would remain in Executive Session.

Attorney-Client Privilege/Executive Session Minutes (May 5, 2008)

A **MOTION** was made by Mr. Shamey to approve the Executive Session Minutes of May 5, 2008 as amended for content seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

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 stated that this matter would remain in Executive Session.

Litigation/Joanze LLC v. Township of Readington, et al.

Mayor Auriemma stated that this matter would remain in Executive Session.

Potential Litigation/COAH

Mayor Auriemma stated that this matter would remain in Executive Session.

Personnel/Personnel Matters

Mayor Auriemma stated that this matter would remain in Executive Session.

Personnel/Police

Mayor Auriemma stated that this matter would remain in Executive Session.

CONSENT AGENDA:

Mayor Auriemma read the following statement:

All items list with an asterisk "*" are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

Engineer McEldowney requested that Item # 21 under New Business be removed from the Consent Agenda.

- *1. **APPROVAL OF MINUTES** of meeting of May 5, 2008.
- *2. **Readington Trail Association** – letter dated April 28, 2008 requesting approval for Annual Fund Raising Event.
- *3. The following Resolution was offered for consideration:

RESOLUTION OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM THE PROCEEDS OF DEBT OBLIGATIONS IN CONNECTION WITH ITS PARTICIPATION IN THE 2008 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

#R-2008-71

WHEREAS, the Township of Readington, in the County of Hunterdon, New Jersey (the “Borrower”) intends to acquire, construct, renovate and/or install the environmental infrastructure project more fully described in **Exhibit A** attached hereto (the “Project”);

WHEREAS, the Borrower intends to finance the Project with debt obligations of the Borrower (the “Project Debt Obligations”) but may pay for certain costs of the Project (the “Project Costs”) prior to the issuance of the Project Debt Obligations with funds of the Borrower that are not borrowed funds;

WHEREAS, the Borrower reasonably anticipates that obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), will be issued by the New Jersey Environmental Infrastructure Trust (the “Issuer”) to finance the Project on a long-term basis by making a loan to the Borrower with the proceeds of the Issuer’s obligations (the “Project Bonds”); and

WHEREAS, the Borrower desires to preserve its right to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Code.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower as follows:

Section 1. The Borrower reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Borrower’s official intent to reimburse the expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with the proceeds of a borrowing to be incurred by the Borrower, in accordance with Treasury Regulations §150-2.

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$13,000,000.

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be “capital expenditures” in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Project Bonds used to reimburse the Borrower for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of the Project Debt Obligations or another issue of debt obligations of the Borrower, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Project Debt Obligations is paid,

Resolution #R-2008-71 cont'd:

or (ii) the date the Project is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 7. This resolution shall take effect immediately.

EXHIBIT A

Acquisition of Block 48, a portion of Lot 23, Block 55, Lot 33, Block 56, Lot 1 and a portion of Lot 3, Block 56, Lots 6 and 8, Block 67, a portion of Lot 2. The purpose of the acquisition will help protect important segments of the Holland Brook and Chamber Brook watersheds.

*4. The following Resolution was offered for consideration:

**RESOLUTION OF TOWNSHIP OF READINGTON, IN THE COUNTY OF
HUNTERDON, NEW JERSEY MAKING APPLICATION TO THE LOCAL
FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e) AND N.J.S.A.
58:11B-9**

#R-2008-72

WHEREAS, the Township of Readington, in the County of Hunterdon, New Jersey (the “Township”) desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:2-26(e) and N.J.S.A. 58:11B-9 in connection with the financing of a land acquisition through the 2008 New Jersey Environmental Infrastructure Trust Financing Program;

WHEREAS, the Township believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW THEREFORE, BE IT RESOLVED BY TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Township’s Bond Counsel and auditor, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and file a copy of the bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

*5. **Application for Membership in NJ Firemen’s Association** - Daniel J. Kaplan

- *6. *Application for Membership in NJ Firemen’s Association* – Andrew Vernon
- *7. *Blue Light Permit* – Andrew C. Saunders
- *8. *Blue Light Permit* – Tracey Brown-Gysi
- *9. *Blue Light Permit* – David Kloos
- *10. *Blue Light Permit* – Larry J. Lelah
- *11. *Blue Light Permit* – Lansing T. Booth
- *12. *Blue Light Permit* – Fred C. Thomisser
- *13. *Blue Light Permit* – Robert J. Rainey
- *14. *Blue Light Permit* – Robet J. Paulson
- *15. *Blue Light Permit* – Terese L. Bandy
- *16. *Blue Light Permit* – Bea Rhodes
- *17. *Blue Light Permit* – George Liothake
- *18. *Blue Light Permit* – Kevin Mainowski
- *19. *Blue Light Permit* – Elliot Gray
- *20. *Blue Light Permit* – Dennis Concannon
- 21. *Ferreira Construction Co, Inc. Block 39, Lots 53.17, 61.03 & 61.04* – request for Reduction of cash performance bond.

 Engineer McEldowney requested that this item be deferred until the next meeting.
- *22. *Thomas S. Major, Block 51.03, Lot 7.01* – request for release of unused escrow Funds (\$590.00)
- *23. *Diane B. Falcon, Block 57, Lot 8* – request for released unused escrow funds
- *24. *Payment of Bills*

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND	7-01	\$ 2,967.00
CURRENT FUND	8-01	\$499,195.44
SEWER APPROPRIATONS	8-02	\$ 42,639.82
TRUST FUNDS	x-03	\$ 30,241.89
MISC REFUND, COUNTY TAX, LIENS	x-05	\$ 17,485.98
PAYROLL DEDUCTIONS	x-06	\$184,134.16
2003 CAP APPROPRIATIONS	x-33	<u>\$ 824.29</u>
TOTAL OF ALL FUNDS		\$777,488.58

A **MOTION** was made by Mrs. Allen to approve all items on the Consent Agenda seconded by Mr. Gatti and on Roll Call Vote the following was recorded:

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

CORRESPONDENCE/OTHER INFORMATION:

1. Letter dated May 6, 2008 from Judith A. Sullivan, Municipal Clerk, Township of Bedminster *regarding Pending Ordinances as follows:*
 - ***#2008-07 An Ordinance Amending Chapter XIII Entitled “Land Management” Of the Revised General Ordinances of the Township of Bedminster, 1984***
 - ***#2008-09 An Ordinance Amending Chapter XIII Entitled “Land Management” Of the Revised General Ordinances of the Township of Bedminster, 1984***
 - ***#2008-10 An Ordinance Amending Chapter XIII Entitled “Land Management” Of the Revised General Ordinances of the Townships of Bedminster, 1984***
 - ***#2008-11 An Ordinance Amending Chapter XIII Entitled “Land Management” Of the Revised General Ordinances of the Townships of Bedminster, 1984***
 - ***#2008-12 An Ordinance Amending Chapter XIII Entitled “Land Management” Of the Revised General Ordinances of the Townships of Bedminster, 1984***

No action taken.
2. Letter dated April 30, 2008 from Donna Burham, Municipal Clerk, Township of Clinton *regarding an ordinance deleting in its entirety section 165-109, SIGNS, and replacing it with new section 165-109 SIGNS amending section 1674-104 DEFINITIONS.* No action taken.
3. Letter dated April 29, 2008 from Dorothy Gooditis, Municipal Clerk, Township of Raritan *regarding Pending Ordinances as follows:*
 - ***#08-16 An Ordinance Entitled “Revised General Ordinances of the Township of Raritan, and more specifically to Create Section 16.64,140 Hours of Operation***
 - ***#08-17 An Ordinance Entitled “Revised General Ordinances of the Township of Raritan, and more specifically to Create Chapter 16.26H Outdoor Commercial Recreation Zone***

No action taken.
4. Memorandum dated April 30, 2008 from Peter S. Palmer, Chairman Raritan Valley Rail Coalition, *regarding a Resolution Supporting Extension of Rail Service to Hampton Borough on the Raritan Valley Line.* No action taken.
5. Letter dated May 7, 2008 from Melissa Allen, Office of Hunterdon County Engineer, *wishing to rescind a Resolution with respect to the fixed weight limit on County Bridge R-24 Mill Road, in the Township of Readington, Hunterdon County, New Jersey.* No action taken.
6. Memorandum dated April 28, 2008 from William G. Dressel, Jr., Executive Director, New Jersey State League of Municipalities *regarding Reducing Municipal Fuel Costs.* No action taken.
7. Memorandum dated April 29, 2008 from William G. Dressel, Jr., Executive Director, New Jersey State League of Municipalities *regarding Appellate Division Rules that*

Mayor Can Make Police Appointments under Mayor-Council Government. No action taken.

8. Memorandum dated April 30, 2008 from William G. Dressel, Jr., Executive Director, New Jersey State League of Municipalities **regarding Executive Order Concerning Lead Abatement – Local Implications.** No action taken.
9. Memorandum dated May 1, 2008 from William G. Dressel, Jr., Executive Director, New Jersey State League of Municipalities **regarding Speaker’s Proposal To Give Consolidation Commission “Teeth”.** No action taken.
10. Memorandum dated May 5, 2008 from William G. Dressel, Jr., Executive Director, New Jersey State League of Municipalities **regarding Paid Family Leave.** No action taken.
11. Memorandum dated May 13, 2008 from William G. Dressel, Jr., Executive Director, New Jersey State League of Municipalities **regarding S-1137, Expands Scope of Negotiation.** No action taken.
12. Memorandum dated April 30, 2008 from Lupe Fowler, Program Coordinator Senior Citizen Transportation, Department of Human Services, **regarding Hunterdon County Notice of Public Hearing/Casino Revenue Funding.** No action taken.
13. Notice of Public Hearing from Richard R. Sarles, Executive Director, New Jersey Transit Corporation regarding **Senior Citizen and Disabled Resident Transportation Assistance Program Hearings.** No action taken.
14. Letter from Anthony Fontana, Department of Solid and Hazardous Waste Management Program **regarding an Application for a Solid Waste Facility Permit Renewal # TRP080001.** No action taken.
15. Letter dated April 24, 2008 from Wayne Ingram from Engineering and Land Planning Associates, Inc. **regarding Public Notification, NJDEP, Land Use Regulations under General Permit #8, Block 56, lot 2, Township of Readington, Hunterdon County, New Jersey.** (Complete file in the Clerk’s Office for review) No action taken.
16. Letter dated May 12, 2008 from David Krueger from Environmental Technology, Inc. **regarding request for Letter of Interpretation-Line Verification, Van Doren Oil, Block 21.13, Lots 9, 10, 11, 12, 13 & 14, Readington Township, Hunterdon County.** (Complete file in the Clerk’s Office for review) No action taken.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **Bouman Stickney Farmstead** – Eagle Scout Project Completion

A **MOTION** was made by Mrs. Allen to invite Pat Hyland to the next Township Committee meeting to thank and recognize him for his project completion of the Bouman Stickney Farm.

2. **Public Defender – Application Fee** – consideration

The Township Committee considered an ordinance to create and establish an application fee for Public Defender. The Committee requested additional information.

3. ***2008-2009 Potential Properties for Hunting***

A list of potential properties that will be bid out for 2008-2009 was presented to the Township Committee. Mrs. Allen proposed that a new parcel of land be considered and stated she will provide the block/lot and acreage. The Committee requested that the Hunting Club Sub-Committee also offer a recommendation on the proposed parcel.

A ***MOTION*** was made by Mrs. Allen to approve the following list of properties to be bid-out for hunting for the 2008-09 season, seconded by Mrs. Muir and on Roll Call vote the following was recorded.

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

ADMINISTRATOR'S REPORT

Administrator Mekovetz reminded the Township Committee Readington Township is hosting the Interstate 78 Corridor Meeting on Wednesday, May 21, 2008.

Administrator Mekovetz reported that Tom Matthews, Hunterdon County Engineer, advises that a letter was sent to NJDOT by their office supporting the Township's request for a reduction of the speed limit on Main Street from 35 mph to 25 mph.

ATTORNEY'S REPORT

Attorney Dragan reported that we should be closing on the James Farm within the next few weeks.

ENGINEER'S REPORT

Engineer McEldowney reported that the Township had received bids on the resurfacing of Old Highway 28 and the Road Reclamation project. Engineer McEldowney stated he prepared his recommendation and this will be on the agenda for the next meeting.

Mrs. Muir requested an update on the removal of the stop signs on Lazy Brook Road and West Woodschurch Road. Engineer McEldowney stated would provide an update at the next meeting.

COMMITTEE REPORTS

Thomas Auriemma

Mayor Auriemma reminded everyone that the Parade will take place on Monday, May 26, 2008, starting at 10:00 a.m.

Julia Allen

Mrs. Allen stated that they had their monthly hike on Sunday, May 18, 2008 and that the next walk is scheduled for June 22nd on the Bouman Stickney Round Mountain Trail.

Frank Gatti

Mr. Gatti reported that the Barn Dance for the Historic Preservation/Museum Committee was well attended.

Beatrice Muir

Mrs. Muir stated that she had nothing to report.

Gerard Shamey

Mr. Shamey reported he and Mrs. Allen are on the Steering Advisory Committee for the Route 202 Corridor. Although Mr. Shamey was unable to attend the meeting, Mrs. Allen did attend. Mr. Shamey stated the first phase is information gathering from the Township.

Mr. Shamey left the Meeting at 8:50 p.m.

COMMENTS FROM THE PUBLIC

Jerry Cook, Whitehouse Station, requested an update on the entrance/exit signs at the Whitehouse Mall. Administrator Mekovetz stated she would look into this matter.

Ted Peters, of Readington Township, requested an update on the “No Parking on County Line Road Ordinance”. Attorney Dragan stated that it should be ready for the next agenda.

COMMENTS FROM THE GOVERNING BODY

No comments were reported.

As there was no further business, *A MOTION* was made by Mrs. Muir at 9:03 p.m. to adjourn the meeting, seconded by Mrs. Allen with a vote of all ayes, nays none recorded.

Respectfully Submitted:

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

