

**READINGTON TOWNSHIP COMMITTEE  
MEETING – June 3, 2009**

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

**PRESENT:** Mayor J. Allen, Mr. T. Auriemma, Mr. F. Gatti, Mrs. B. Muir

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

**ABSENT:** Mr. G. Shamey

**EXECUTIVE SESSION:**

Clerk read the following Resolution:

**RESOLUTION**  
**EXECUTIVE SESSION**

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

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

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

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

**EXHIBIT A**

<b><u>Subject Matter</u></b>	<b><u>Basis Of Public Exclusion</u></b>	<b><u>Date Anticipate When Disclosed to Public</u></b>
Personnel.....	Police .....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Personnel.....	Building and Grounds.....	“ “ “
Contract Negotiations.....	Award of Brush Chipper Bid.....	“ “ “
Contract Negotiations.....	Award of Road Reclamation.....	“ “ “
Contract Negotiations.....	127 Buttercup Court.....	“ “ “
Contract Negotiations.....	Country Classics Legacy.....	“ “ “
Contract Negotiations.....	Block 64, Lots 26 & 40..... (Lackland Associates)	“ “ “
Contract Negotiations.....	Block 94, Lot 6.02, 8 and 11..... (Readington Properties, LLC)	“ “ “
Contract Negotiations.....	Block 94, Lots 15.01, 17 and 19..... (Toll NJ, VI, LLP)	“ “ “
Attorney-Client Privilege.....	Potential Litigation.....	“ “ “

Attorney-Client Privilege..... Executive Session Minutes..... “ “ “  
(May 18, 2009)

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)

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

2. This Resolution shall take effect immediately.

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

The meeting reconvened 7:50 p.m.

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

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

***Personnel/Police***

A **MOTION** was made by Mr. Auriemma to recommend Patrolmen Ferriero for the position of Corporal, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

***Personnel/Building and Grounds***

A **MOTION** was made by Mrs. Muir to hire Andrew Hoy as summer help for field and lawn maintenance at \$10.00 per hour, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

***Contract Negotiations/Award of Brush Chipper Bid***

The following resolution was offered for consideration:

***#R-2009-59***

***TOWNSHIP OF READINGTON  
RESOLUTION***

**WHEREAS**, the Township Committee of the Township of Readington (hereinafter “Township Committee”) publicly advertised for bids for one (1) Trail Mounted Brush Chipper (herein after referred to as a “Brush Chipper”); and

**WHEREAS**, on May 7, 2009 the Administrator/Municipal Clerk conducted the bid opening whereupon a total of two (2) bids were received, one from Vermeer North Atlantic Sales and Services in the amount of \$41,036.00 and the other from Northeastern Arborist Supply in the amount of \$49,380.00; and

**Resolution #R-2009-59 cont'd:**

**WHEREAS**, after review of the bids by both Commercial Vehicle Consultants, the firm hired by the Township to prepare the specifications and provide a recommendation, the Township Attorney and the Township Administrator/Clerk, it was determined that neither bid was acceptable. Specifically, the Township Attorney found that the bid from Vermeer North Atlantic Sales and Services included a letter from the bidder which stated that the bidder would not provide an insurance certificate for the equipment, naming Readington Township as an additional insured, although the bid instructions and checklist state that it was a mandatory requirement. The failure to include mandatory items renders a bid unresponsive and per N.J. case law, such failure constitutes a non-waivable defect when it would: 1) result in an uncertainty that the agreement will be performed in accordance with the specifications and 2) adversely affect competitive bidding by placing the bidder who did not comply in a position of advantage over the other bidders who did comply. *P&A Construction, Inc. v. Twp. of Woodbridge, 365 N.J. Super 164 (App. Div. 1964)*. The Township considers an insurance certificate which covers it as an additional insured to be an important requirement and notes that the other bidder did comply. However, the other bid was significantly above the Township's estimated cost of the Brush Chipper.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Readington as follows:

1. For the reasons set forth above, the Township Committee hereby accepts the recommendation of the Township Attorney and rejects the bid from Vermeer North Atlantic Sales and Service dated May 7, 2009 because it was non-responsive. The bid specifications stated that the successful bidder must supply a certificate of insurance naming Readington Township as an additional insured as outlined in paragraph "G" of the "Instructions to Bidders", as well as on the "Certification of Compliance with Checklist" document; this requirement was mandatory and non-waivable. Instead, the bidder supplied a letter with its bid package stating that neither it nor its insurance carrier would comply with that requirement. The only other bidder did supply an insurance certificate naming the Township of Readington as an additional insured.
2. Although the other bidder Northeastern Arborist Supply was responsive in that it supplied the requested insurance, its bid amount of \$49,380.00 substantially exceeded the Township's estimated budget for the equipment. Accordingly the Township rejects the bid of Northeastern Arborist Supply per N.J.S.A. 40A:11-13.2 et seq.
3. The Administrator/Municipal Clerk is authorized to notify all those who bid on the Brush Chipper of this decision.
4. The Administrator/Municipal Clerk is directed to research alternate purchasing methods, such as cooperative purchasing or state contract, to seek out the best and lowest price for this or similar equipment.
5. This resolution shall take effect immediately.

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

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

**Contract Negotiations/Award of Road Reclamation Bid**

The following resolution was offered for consideration:

**#R-2009-69**

**TOWNSHIP OF READINGTON  
RESOLUTION**

**WHEREAS**, the Township Committee of the Township of Readington (ACommittee@) publicly advertised for bids for the proposed 2009 Roadway Reclamation and Resurfacing Program for various roadways in the Township (hereinafter referred to as Athe Project@); and

**WHEREAS**, on May 20, 2009, the Administrator/ Municipal Clerk conducted the bid opening whereupon the total number of bidders responding was one (1); and

**WHEREAS**, the Reclamation of Kingston, LLC submitted the only bid for the Project in the amount of \$322,658.30; and

**WHEREAS**, the Township Engineer reviewed the bid schedule and recommended the award to Reclamation of Kingston, LLC , subject to receiving certification as to availability of funds and municipal attorney review; and

**WHEREAS**, at the Township Committee meeting held on June 3, 2009, the Township Committee reviewed the recommendation of the Township Engineer and the Township Attorney.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Readington as follows:

1. The Township Committee hereby accepts the recommendation of the Township Engineer and Township Attorney and awards a contract to Reclamation of Kingston, LLC in the amount of \$322,658.30.

**BE IT FURTHER RESOLVED** that the Township Administrator/Clerk is authorized to notify the successful bidder on this award in the amount of \$322,658.30 and the Mayor and Township Administrator/Municipal Clerk are authorized to sign the contract with Reclamation of Kingston, LLC.

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

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

***Contract Negotiations/127 Buttercup Court***

**A MOTION** was made by Mrs. Muir to approve the agreement to extend affordability controls on 127 Buttercup Court, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

***Contract Negotiations/Country Classics Legacy***

**A MOTION** was made by Mr. Auriemma to recommend to the Planning Board that the land use ordinance be amended to allow 15% of the units within an age restricted community to be occupied by individuals under the age of 55, provided that at least one of the residents is 45 years of age and that none of the permanent residents are under the age of 19, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

***Contract Negotiations/Block 64, Lots 25 & 40 (Lackland Associates)***

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

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

***Contract Negotiations/ Block 94, Lots 6.02, 8 and 11 (Readington Properties, LLC)***

Mayor Allen stated this matter was not discussed in Executive Session.

***Contract Negotiations/Block 94, Lots 15.01, 17 and 19 (Toll NJ, VI, LLP)***

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

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

***Attorney-Client Privilege/Potential Litigation***

Mayor Allen stated this matter remains in Executive Session.

***Attorney-Client Privilege/Executive Session Minutes (May 18, 2009)***

Mayor Allen stated this matter must be carried to the next meeting since there was not a quorum to approve the minutes.

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

Mayor Allen stated this matter was not discussed in Executive Session.

***CONSENT AGENDA:***

Mayor Allen read the following statement:

All items listed with an asterisk “p” 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.

1. **APPROVAL OF MINUTES** of meeting of May 18, 2009

This matter was removed from the consent agenda since there was not a quorum to approve the minutes.

- p2. **Resolution Authorizing Morris County Cooperative Purchase – Road Resurfacing**

The following resolution was offered for consideration:

***#R-2009-60***

***TOWNSHIP OF READINGTON  
RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE PURCHASES***

***Resolution #R-2009-60 cont'd:***

***WHEREAS***, the Township of Readington wishes to purchase road resurfacing materials from an authorized vendor under the Morris County Cooperative Purchasing Program; and

***WHEREAS***, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, *N.J.S.A. 40A:11-12*; and

***WHEREAS***, Tilcon New York, Inc., 625 Mt. Hope Road, Wharton, NJ, 07885 has been awarded Morris County Cooperative Contract No. #6 for road resurfacing materials for the period one (1) year, January 1, 2009 – December 31, 2009; and

***WHEREAS***, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best price available, not to exceed \$790,000; and

***WHEREAS***, the Chief Finance Officer has certified the availability of funds for this contract.

***NOW THEREFORE BE IT RESOLVED***, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Tilcon New York, Inc. be awarded a contract for road resurfacing materials; and

***BE IT FURTHER RESOLVED***, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

***BE IT FURTHER RESOLVED***, that this Resolution shall take effect immediately.

- ρ3. ***Resolution Authorizing Morris County Cooperative Purchase*** – Services for Disposal/Recycling of municipal road clean-up materials

The following resolution was offered for consideration:

***#R-2009-61***

***TOWNSHIP OF READINGTON  
RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE PURCHASES***

***WHEREAS***, the Township of Readington wishes to purchase services for disposal/recycling of municipal road clean-up materials from an authorized vendor under the Morris County Cooperative Purchasing Program; and

***WHEREAS***, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, *N.J.S.A. 40A:11-12*; and

***WHEREAS***, Total Center Maintenance, Inc., 511 Neck Road, Burlington, NJ 08016, has been awarded Morris County Cooperative Contract No. #49 for disposal/recycling of municipal road cleanup materials for the period one (1) year, January 1, 2009 – December 31, 2009; and

***WHEREAS***, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best price available, not to exceed \$10,000.00; and

***WHEREAS***, the Chief Finance Officer has certified the availability of funds for this contract.

***NOW THEREFORE BE IT RESOLVED***, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Total Center Maintenance, Inc. be awarded a contract for disposal/recycling of municipal road clean up materials; and

***BE IT FURTHER RESOLVED***, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

**#R-2009-61 cont'd:**

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

ρ4. **Resolution Authorizing Morris County Cooperative Purchase – Drainage Pipe**

The following resolution was offered for consideration:

**#R-2009-62**

**TOWNSHIP OF READINGTON  
RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE PURCHASES**

**WHEREAS**, the Township of Readington wishes to purchase drainage pipe from an authorized vendor under the Morris County Cooperative Purchasing Program; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, *N.J.S.A.* 40A:11-12; and

**WHEREAS**, Brent Material Company, 741 Northfield Ave., West Orange, NJ 07052 has been awarded Morris County Cooperative Contract No. #7 for drainage pipe for the period one (1) year, January 1, 2009 – December 31, 2009; and

**WHEREAS**, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best price available, not to exceed \$65,000.00;

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Chemung Supply Corp. be awarded a contract for drainage pipe; and

**BE IT FURTHER RESOLVED**, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

ρ5. **Resolution Authorizing Morris County Cooperative Purchase – Services for Traffic Signal Maintenance and Repairs**

The following resolution was offered for consideration:

**#R-2009-63**

**TOWNSHIP OF READINGTON  
RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE PURCHASES**

**WHEREAS**, the Township of Readington wishes to purchase services for traffic signal maintenance and repairs from an authorized vendor under the Morris County Cooperative Purchasing Program; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, *N.J.S.A.* 40A:11-12; and

**WHEREAS**, Jenn Electric, Inc. 631 Morris Avenue, has been awarded Morris County Cooperative Contract No. #37 for traffic signal maintenance & repairs for the period one (1) year, July 1, 2009 – June 30, 2010; and

**WHEREAS**, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best price available, not to exceed \$15,000.00;

**Resolution #R-2009-63 cont'd:**

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Jenn Electric, Inc. be awarded a contract for services for traffic signal maintenance and repairs; and

**BE IT FURTHER RESOLVED**, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

- ρ6. **Resolution Authorizing Morris County Cooperative Purchase – Catch Basins and Manhole Castings**

The following resolution was offered for consideration:

**#R-2009-64**

**TOWNSHIP OF READINGTON  
RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE PURCHASES**

**WHEREAS**, the Township of Readington wishes to purchase catch basins and manhole castings from an authorized vendor under the Morris County Cooperative Purchasing Program; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, *N.J.S.A. 40A:11-12*; and

**WHEREAS**, Campbell Foundry Company 800 Bergen Street, Harrison, NJ, 07029, has been awarded Morris County Cooperative Contract No. #14 for catch basins and manhole castings, as indicating on schedule “A” attached, for the period one (1) year, January 1, 2009 – December 31, 2009; and

**WHEREAS**, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best price available, not to exceed \$50,000.00 for Campbell Foundry Company; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Campbell Foundry Company be awarded a contract for catch basins and manhole castings; and

**BE IT FURTHER RESOLVED**, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

- ρ7. **Resolution for Membership of National Joint Powers Alliance – resolution**

The following resolution was offered for consideration:

**#R-2009-65**

**TOWNSHIP OF READINGTON**

**#R-2009-65 cont'd:**

**WHEREAS**, the Township of Readington desires to become a member of the National Joint Powers Alliance (NJPA) effective June 3, 2009 and, that such membership shall be for the period ending December 31, 2009, and each renewal, thereafter of the system, unless the Township of Readington elects to formally withdraw from the system;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized to execute an agreement for such membership.

ρ8. **Blue Light Permit** – Joseph R. Pfauth Jr.

ρ9. **Resolution to Establish a Green Team Advisory Committee**

The following resolution was offered for consideration:

**#R-2009-66**

**TOWNSHIP OF READINGTON  
RESOLUTION**

**WHEREAS**, the Township Committee of the Township of Readington to building a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

**WHEREAS**, the Township Committee of the Township of Readington wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

**WHEREAS**, in an attempt to focus attention on “Green” issues, the Township Committee wishes to establish a Green Team Advisory Committee; and

**WHEREAS**, the Township Committee of the Township of Readington wants to begin the process of focusing on “green” issues by starting with community outreach efforts to educate our community on the advantages of various “green” issues and offer resources to our residents to encourage going “green” efforts; and

**WHEREAS**, the Township Committee of the Township of Readington wants the “green” team to focus on two (2) priority action items for Sustainable Communities: Energy Audits for Municipal Facilities and a Sustainable Land Use Pledge; and

**WHEREAS**, the Township Committee of the Township of Readington will appropriate funds in their budget to educate our community and to investigate and establish effective ways to reduce energy consumption within our daily municipal operations.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Readington that we do hereby establish a Green Team Advisory Committee consisting of twelve (12) members who shall be residents, employees or consultants of Readington Township, appointed annually, but whose initial term of appointment shall be through December 31, 2009.

**BE IT FURTHER RESOLVED** that the Mission, Goals and Objectives for the Green Team Advisory Committee through December 31, 2009 are established as follows:

**Mission**

The Readington Township Green Team Advisory Committee will advise the Township Committee on ways to educate our community and improve municipal operations with “Green” initiatives that are developed through research and analysis and result in initiatives that are economically and environmentally sound.

***Resolution #R-2009-66 cont'd:***

**Goals**

Submit a report and recommendations to the Township Committee by October 1, 2009 to include:

1. Efforts made to educate our community and municipal employees, seminars held, information distributed, etc.
2. Schedule of goals for the upcoming year to continue this effort.
3. Recommendations on ways to reduce energy consumption within municipal operations.
4. Develop a sustainable land use pledge.

**Objectives**

1. Collaborate with township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the Green Team Advisory Committee.
2. Encourage participation of all employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives that make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.
5. Provide educational opportunities and sources of information to our community to encourage going “green.”
6. Support and make recommendations to continue smart growth and sustainable development within the Township’s land-use decision making and policies.

***NOW THEREFORE BE FURTHER RESOLVED***, by the Township Committee of the Township of Readington that the following persons are hereby appointed to the Green Team Advisory Committee for the remainder of 2009.

Julia Allen, Mayor, Planning Board, Open Space Advisory Board  
Dr. Jay Kelly, Environmental Commission, Open Space Advisory Board  
Steve Foster, Environmental Commission  
Cheryl Filler, Chair, Environmental Commission & Planning Board  
Kim Yousey, Open Space Advisory Board  
Chip Shepherd, Township Resident, Readington Township School  
Clay McEldowney, Township Engineer (consultant)  
Vita Mekovetz, Administrator  
Darlene Mitchell, Administrative Assistant  
Michael Kovonuk, Construction Official  
Mark Giroud, Merck employee (consultant)  
Colette Johnson - resident

ρ10. ***Resolution Opposing New Jersey Transit’s Proposal for Park and Ride Lot***

***#R-2009-67***

***TOWNSHIP OF READINGTON  
RESOLUTION***

**WHEREAS**, Readington Township supports the principle of public transportation; and

**Resolution #R-2009-67 cont'd:**

**WHEREAS**, NJ Transit is proposing a 500-space parking lot on Block 14, Lot 5 in Clinton Township; and

**WHEREAS**, the headwaters of the South Branch Rockaway Creek begin on this property; and

**WHEREAS**, the Rockaway Creek is a Category 1 stream; and

**WHEREAS**, paving it would change the nature of the environs around the stream and thus change its hydrology; and

**WHEREAS**, the South Branch Rockaway Creek drains to the Raritan River Basin, a major drinking water source for over one million residents in Central New Jersey; and

**WHEREAS**, paving of the property would remove water from the Raritan River Basin, adversely affecting drinking water supplies; and

**WHEREAS**, the property comprises habitat for Federal/New Jersey threatened species, such as the bald eagle, the wood turtle and the bobolink; and

**WHEREAS**, the property comprises soils of statewide importance and prime agricultural soils; and

**WHEREAS**, limestone underlies portions of the property and paving would be subject to sinkholes, precluding recharge of the limestone drinking water aquifer; and

**WHEREAS**, the property is adjacent to the scenic entrance to the Round Valley Reservoir, a New Jersey State Park; and

**WHEREAS**, the property is in a Highlands Agricultural Resource Area, a Highlands Conservation Zone and a Highlands Open Water Protection Area buffer to protect the South Branch Rockaway Creek.

**NOW THEREFORE BE IT RESOLVED, THAT THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON DOES NOT SUPPORT** New Jersey Transit's proposal for a 500 space parking lot at this site.

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to New Jersey Transit, Clinton Township Committee, Clinton Township Environmental Commission and Clinton Township Open Space Commission.

ρ11. **Payment of Bills**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND	9-01	\$ 477,365.58
SEWER APPROPRIATIONS	9-02	\$ 102,798.78
TRUST FUNDS	X-03	\$ 31,724.92
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 200,373.29
PAYROLL DEDUCTIONS	X-06	\$ 202,566.66
REGIONAL & SCHOOL TAX	X-07	\$2,485,176.00
DUE TO STATE OF NJ	X-09	\$ 5,233.80
2008 CAPITAL	X-88	<u>\$ 4,621.00</u>
<b>TOTAL OF ALL FUNDS</b>		<b>\$3,509,860.03</b>

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

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

**PUBLIC HEARING**

1. **2009 Municipal Budget**

A **MOTION** was made by Mr. Auriemma to adjourn the regular Meeting to hold Public Hearing, seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

Mr. Gatti introduced Tom Carro, the Chief Financial Officer and Bob Swisher, the accountant from Suplee Clooney, who he stated were instrumental in putting the budget together. Mr. Gatti stated that even though the Township budgeted and saved money at the expenditure level, the tax rate will go up by 3¢.

Mr. Gatti stated that the Township Committee did a good job working with Administrator Mekovetz to cut a number of expenses in the Township, eliminating and consolidating positions and holding the line on expenses. Mr. Gatti stated that due to the fact that revenues had fallen so sharply as a result of the economic conditions and interest rates, this resulted in an increase in the tax rate. Mr. Gatti stated appropriations inside the cap were cut almost 6%; however, that was not enough to offset the decrease in revenues. Mr. Gatti stated the surplus was taken down as far as it could. Mr. Gatti stated that the tax increase equates to an average of \$120 for the average \$400,000 house in Readington Township. Mr. Gatti stated that they made it a point to not cut essential services and to continue to service the taxpayers as best as they can. Mr. Gatti also stated that they will continue to look where they can save money.

Administrator Mekovetz thanked everyone for working together this year and offering ideas to present the best budget possible.

Mayor Allen stated that the process began over the last year and a half by eliminating positions, cutting hours, eliminating the holiday party and administrative professional day celebrations, reducing the newsletter to one publication a year, in addition to savings on the phone system. Mayor Allen stated the Committee had worked hard on this list and despite the fact, expenses could not be reduced in the revenue. Mayor Allen commended Tom Carro and Administrator Mekovetz and all involved in helping the Township look for ways to save money.

Mayor Allen asked if there were any comments from the Public.

There were none.

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

A **MOTION** was made by Mr. Gatti to approve the 2009 Municipal Budget, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Mayor Allen -Aye

**CORRESPONDENCE/OTHER INFORMATION**

1. Memorandum dated May 19, 2009 from Judith A. Sullivan, Municipal Clerk, Bedminster Township, regarding ***An Ordinance Amending Section 13-904 Entitled “Affordable Housing, Development Fees” of Article 13-900 Entitled “Fees, Guarantees, Inspections, Off-Tract Improvements and Developer’s Agreements” of Chapter XIII Entitled “Land Management” of the Revised General Ordinances of the Township of Bedminster.***  
No action taken.
  
2. Memorandum dated May 22, 2009 from Karen M. Romano, Municipal Clerk, Borough of Lebanon, regarding:
  - ***An Ordinance of the Borough of Lebanon, County of Hunterdon to Govern Municipal Source Separation and Recycling***
  
  - ***An Ordinance of the Borough of Lebanon, in Hunterdon County, New Jersey Deleting in its Entirety Existing Article 7, “Signs”, of the Ordinances of the Borough of Lebanon, and Replacing it with New Article 7, “Signs”; Amending Article 2, “Definitions”; Providing Severability; and Providing and Effective Date***No action taken.

**OLD BUSINESS**

1. ***Mitnick (Pirantello) to Fiddler’s Elbow (Lamington Hospitality) Liquor License*** – Person to Person/Place to Place – Denial of Application – resolution  
  
Mayor Allen stated this matter will be carried until the next meeting since there was not a quorum to vote on the resolution.
  
2. ***Historic Registry/Ryland Inn***  
  
Mayor Allen stated this matter will come off the table since the Historic Preservation Commission is working on an application for the East Whitehouse District for National Register of Historic Places and the Ryland Inn would be included.

**NEW BUSINESS**

1. ***Commerce Street Group, Block 39, Lot 53.16*** – request for release of performance guaranty (\$97,884.00)

The following resolution was offered for consideration:

***#R-2009-68***

**TOWNSHIP OF READINGTON  
RESOLUTION**

**WHEREAS**, Commerce Street Group, Inc. did on May 11, 2009 file a written request with the Township of Readington for a release of Performance Bond Guarantee #0289382 in the amount of \$97,884.00 for work completed on Block 39, Lot 53.16; and

**WHEREAS**, the Township Engineer has confirmed that a certain amount of work has been done by Commerce Street Group., Inc. on said property; and

**WHEREAS**, in accordance with the Municipal Land Use Law the Township may retain up to 30% of a Performance Bond to assure the completion of site work;

**Resolution #R-2009-68 cont'd:**

**WHEREAS**, the Township Engineer has released the Performance Bond Guarantee #0289382, as indicated in his letter of May 14, 2009 based upon the Municipal Land Use Law requirement:

<b>BOND OR CHECK</b>	<b>ORIGINAL BONDED AMOUNT @120%</b>	<b>CURRENT REMAINING PERFORMANCE GUARANTEE</b>	<b>RECOMMENDED REDUCTION FOR WORK COMPLETED</b>	<b>REMAINING PERFORMANCE GUARANTEE @ 120%</b>
Bond No. 0289382 International Fidelity Ins. Co.	\$285,456.00	\$97,884.00	100%	\$0
<b>TOTAL</b>	<b>\$285,456.00</b>	<b>\$97,884.00</b>	<b>100%</b>	<b>\$0</b>

**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 Cash Performance Bond # 0289382, as recommended by the Township Engineer; and

**BE IT FURTHER RESOLVED**, that a one year Maintenance Guaranty for landscaping improvements shall be posted in the amount of \$5,000.00 as calculated by the Township Engineer.

**BE IT FURTHER RESOLVED**, that authorization is given to the Township Clerk to forward copies of this Resolution approving these reduced amounts to the applicant.

**A MOTION** was made by Mrs. Muir to approve this resolution with the stipulation of a \$5,000 maintenance bond, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

ρ2. **Resolution Authorizing Morris County Cooperative Purchase – Road Resurfacing**

This matter was addressed under Consent Agenda.

ρ3. **Resolution Authorizing Morris County Cooperative Purchase – Services for Disposal/Recycling of municipal road clean-up materials**

This matter was addressed under Consent Agenda.

ρ4. **Resolution Authorizing Morris County Cooperative Purchase – Drainage Pipe**

This matter was addressed under Consent Agenda.

ρ5. **Resolution Authorizing Morris County Cooperative Purchase – Services for Traffic Signal Maintenance and Repairs**

This matter was addressed under Consent Agenda.

- ρ6. ***Resolution Authorizing Morris County Cooperative Purchase*** – Catch Basins and Manhole Castings

This matter was addressed under Consent Agenda.

- ρ7. ***Resolution for Membership of National Joint Powers Alliance*** – resolution

This matter was addressed under Consent Agenda.

- ρ8. ***Blue Light Permit*** – Joseph R. Pfauth Jr.

This matter was addressed under Consent Agenda.

- ρ9. ***Resolution to Establish a Green Team Advisory Committee***

This matter was addressed under Consent Agenda.

- ρ10. ***Resolution Opposing New Jersey Transit's Proposal for Park and Ride Lot***

This matter was addressed under Consent Agenda.

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

Administrator Mekovetz stated the Township is preparing to go out to bid again for the hunting properties. Mayor Allen suggested Taylor's Mill property be considered as an additional hunting property.

Administrator Mekovetz reported that the resolution to establish a Green Team Advisory Committee was listed on the consent agenda allowing the Township to obtain credits for certification. Administrator Mekovetz reported that the first meeting is tentatively scheduled for June 16<sup>th</sup>.

Mayor Allen reported the Solar Seminar scheduled July 14<sup>th</sup>, will include speakers Larry Barth, Board of Public Utilities and Renewable Energy, Pam Frank from Sun Farm and Marc Giroud from Merck.

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

Attorney Dragan stated she had nothing further to report.

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

Engineer McEldowney reported they had a walk through for the sewer line connection for the schools and the meter has been installed.

Engineer McEldowney reported State Aid applications will be due in the middle of June. Engineer McEldowney reported he is trying to work out a coordinated effort with Branchburg on County Line Road.

Engineer McEldowney reported he had a conversation with an engineer from the DOT regarding the culvert under Route 22 with flooding issues.

#### ***COMMITTEE REPORTS***

##### **Mayor Allen**

Mayor Allen reported the next Open Space Walk is scheduled for June 21<sup>st</sup> on the East Whitehouse Greenway.

Mayor Allen reported the Ann Reno Barn is scheduled to go up this month.

**Thomas Auriemma**

Mr. Auriemma thanked Administrator Mekovetz and her staff for their support on the Memorial Day Parade.

**Frank Gatti**

Mr. Gatti stated he had nothing to report.

**Beatrice Muir**

Mrs. Muir thanked Thomas Auriemma for the wonderful job he had done with the Memorial Day Parade.

Mrs. Muir reported that the Township will be receiving a letter from the County Board of Health to abandon and cap the wells on Block 80, Lot 1.

***COMMENTS FROM THE PUBLIC***

William Keefe came before the Committee and commented and asked questions on the following:

- The increase in the costs for the Police.
- The drop in interest on the debt.
- The financing for the acquisition of the airport.
- The post employment benefit liability for the Township.

***COMMENTS FROM THE GOVERNING BODY***

There were none.

As there was no further business, ***A MOTION*** was made by Mr. Auriemma at 9:10 p.m. to adjourn the meeting, seconded by Mr. Gatti with a vote of all ayes, nays none recorded.

Respectfully Submitted:

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