

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

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

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

ALSO PRESENT: Attorney Dragan, Administrator Mekovetz and Engineer McEldowney

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

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

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

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

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

EXHIBIT A

<u>Subject Matter</u>	<u>Basis of Public Exclusion</u>	<i>Date Anticipated When Discussion Will Be Disclosed to Public</i>
Recreation.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Library.....	Personnel.....	" " "
Police Department I.T. Services.....	Personnel.....	" " "
PBA Local 317.....	Contract Negotiations.....	" " "
Awarding of 4-Wheel Drive Tractor with Mid-Mount Mower Bid.....	Contract Negotiations.....	" " "
Awarding of Ambulance Bid.....	Contract Negotiations.....	" " "
Block 80, Lots 1 & 2 (Readington Twp.)...	Contract Negotiations.....	" " "
Block 98, Lot 2 (Padovani).....	Contract Negotiations.....	" " "
Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters).....	Contract Negotiations.....	" " "
Executive Session Minutes - (June 20, 2005 & July 5, 2005).....	Attorney-Client Privilege.....	" " "
Professional Services.....	Contract Negotiations.....	" " "
Plenary Retail Distribution License Bid Package.....	Attorney-Client Privilege.....	" " "

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

3. This Resolution shall take effect immediately.

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

The meeting reconvened at 8:00 p.m.

Mrs. Muir left the meeting at this time.

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

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

Personnel - Recreation

A MOTION was made by Mr. Auriemma to adjust the rate of Steven Struble, who was previously hired to work in the Clean Communities program from \$6.50 per hour to \$8.50 per hour. This motion was seconded by Mr. Shamey and on Roll Call vote the following was recorded:

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

A MOTION was made by Mr. Auriemma to hire Stephen Cottone to work in the Clean Communities program at a rate of \$6.00 per hour. This motion was seconded by Mr. Shamey and on Roll Call vote the following was recorded:

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

Personnel - Library

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

Personnel - Police Department I.T. Services

A MOTION was made by Mr. Shamey to hire Hans Salopek to provide IT services to the Police Department at a rate of \$50 per hour, with a maximum of 10 hours per month, on a trial basis through December 31, 2005. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Contract Negotiations - PBA Local 317

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

Contract Negotiations - Awarding of 4-Wheel Drive Tractor with Mid-Mount Mower Bid

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2005-96**

WHEREAS, the Township Committee of the Township of Readington (“Committee”) publicly advertised for bids for one (1) new Four (4)-Wheel Drive Tractor with Mid-Mount Mower Bid; and

WHEREAS, on July 13, 2005, the Township Administrator/Municipal Clerk conducted the bid opening whereupon one (1) bid was received from Storr Tractor Company; and

WHEREAS, upon review by the Township Attorney it was determined that the bid was incomplete because the Stock Holder Disclosure Statement was not included; and

WHEREAS, because the Stock Holder Disclosure Statement was not included the bid has an incurable defect and is considered non-responsive.

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 Township Committee hereby rejects the bid received on July 13, 2005 for one (1) new Four (4) Wheel Drive Tractor with Mid-Mount Mower for the reason set forth above.
2. The Township Administrator/Clerk is authorized to notify the bidder of this decision.

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

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

Contract Negotiations - Awarding of Ambulance Bid

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

Contract Negotiations - Block 80, Lots 1 & 2 (Readington Twp.)

Mayor Gatti said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

Contract Negotiations - Block 98, Lot 2 (Padovani)

Mayor Gatti said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

Contract Negotiations - Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters)

Mayor Gatti said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

Attorney-Client Privilege - Executive Session Minutes (June 20, 2005 & July 5, 2005)

Mayor Gatti said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

Professional Services - Connell Foley, LLP

Mayor Gatti said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

Attorney-Client Privilege - Plenary Retail Distribution License Bid Package

Mayor Gatti said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

CONSENT AGENDA:

1. **APPROVAL OF THE MINUTES** of meeting of July 5, 2005.
2. **Acceptance of 2004 Report of Audit** - resolution.

**TOWNSHIP OF READINGTON
RESOLUTION
R-2005-99**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 2004 has been filed by the Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and

WHEREAS, the members of the governing body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Readington, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

3. **Postponement of Mortgage** - 402 South Branch Drive/Flannery.

4. **Application for Catering Permit** - Bridgewater Marriott (July 31st).
5. **Application for Blue Light Permit** - Edward Drenkhahn.
6. **Monthly Collection Report** for June, 2005.
7. **Monthly Collection Report for Sewers** for June, 2005.
8. **Lien Redemption** - resolution.

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

WHEREAS, the property owner has paid to the Tax Collector the amount necessary to redeem the lien on Block 93, Lot 38 known as Tax Sale Certificate #03-16; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$7,563.61 to the lien holder, Crusader Servicing Corp.

9. **Payment of the Bills.**

Fund Description	Fund No.	Received Total
CURRENT FUND APPROPRIATION	001	\$ 455,830.76
SEWER APPROPRIATION	002	\$ 12,194.00
TRUST APPROPRIATION	003	\$ 57,425.99
CAPITAL APPROPRIATIONS	004	\$ 1,402,315.31
MISC. REFUND, COUNTY TAX, LIENS	005	\$ 11,763.61
PAYROLL DEDUCTIONS	006	\$ 170,801.88
TOTAL OF ALL FUNDS:		\$ 2,110,331.55

10. **Municipal Court & Violations Bureau Report** for June, 2005.

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

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

PUBLIC HEARINGS:

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

Ordinance #21-2005

Clerk read by Title:

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE
TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY,
APPROPRIATING THE AGGREGATE AMOUNT OF \$1,642,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$1,559,900 BONDS OR NOTES OF THE TOWNSHIP TO
FINANCE PART OF THE COST THEREOF**

Ordinance #21-2005

Mayor Gatti said this is the Township's Capital Improvement Ordinance which is predominately for road improvements. It also includes the acquisition of equipment for the DPW and the Police Department, and the completion of the Senior Walkway project.

Mayor Gatti asked if there were any comments or questions from the Governing Body.

Mr. Shamey said he had the opportunity to discuss this with Administrator Mekovetz, Scott Jesseman and Engineer McEldowney. The original list of items was reduced. There is a structured plan for replacement of DPW vehicles.

Mayor Gatti said Scott Jesseman did provide a ten (10) year plan for the DPW.

Mayor Gatti asked if there were any comments or questions from the public. There were none.

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

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,642,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,559,900 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Ordinance #21-2005

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

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

Ordinance #22-2005

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

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR VARIOUS SEWER IMPROVEMENTS AND ACQUISITION OF VEHICLE AND EQUIPMENT OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,035,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$983,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Ordinance #22-2005

Mayor Gatti said this ordinance provides for improvements to the pump station in Three Bridges, the Oakland Pump Station and Lake Cushetunk Pump Station. It also provides for the replacement of flow meters and the acquisition of a jet vacuum truck, which is part of the new Stormwater Regulations. The cost is being split between the Township and the sewer users.

Mayor Gatti asked if there were any comments or questions from the Governing Body. There were none.

Mayor Gatti asked if there were any comments or questions from the public. There were none.

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

BOND ORDINANCE PROVIDING FOR VARIOUS SEWER IMPROVEMENTS AND ACQUISITION OF VEHICLE AND EQUIPMENT OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,035,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$983,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Ordinance #22-2005

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

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

CORRESPONDENCE/OTHER INFORMATION:

1. Memorandum dated July 6, 2005 from Henry Kuhl, Chairman, Hunterdon County Republican Committee, regarding ***adoption of a resolution urging the New Jersey State Legislature to adopt the amendments to the State Constitution that are proposed by the Blueprint for Property Tax Reform***, noted for information. No action taken.
2. Resolution from the Borough of Allentown regarding ***“Goose and the Gander” requesting that legislation be enacted to impose limits on the Annual NJ State Budget to include spending limitations comparable to those required of Municipalities, Counties, Authorities and School Districts***, noted for information. No action taken.
3. Memorandum dated June 28, 2005 from Sharon L. Brienza, Municipal Clerk, Twp. of Branchburg, regarding ***public hearing of Ordinance #2005-997 Amending the Land Development Ordinance of the Twp. of Branchburg by providing for required Growth-Share Affordable Housing Production***, noted for information. No action taken.
4. Letter dated June 24, 2005 from Ronald K. Lacey, Staff Consultant, JCP&L, regarding ***application for Wetlands General Permit No. 1 - JCP&L***, noted for information. No action taken.
5. Notice from Public Service Electric & Gas regarding ***Filing and Public Hearings for proposed increase in BGSS Commodity Charges for Residential Gas Customers***, noted for information. No action taken.
6. Letter dated July 7, 2005 from John P. Tully, Gilmore & Associates, Inc., regarding ***NJDEP Wetland Presence/Absence Application, Baccaro, Block 51, Lot 25***, noted for information. No action taken.
7. Letter dated July 8, 2005 from Leo Santowasso, PE, CME, Heritage Consulting Engineers, regarding ***Freshwater Wetlands Letter of Interpretation Extension Application Checklist, Readington Farms, Inc., Block 9, Lot 21***, noted for information. No action taken.

OLD BUSINESS:

None.

NEW BUSINESS:

1. ***Appointment of Safety Coordinator.***

The following Resolution was offered for consideration:

APPOINTMENT OF A SAFETY COORDINATOR AND ALTERNATE SAFETY COORDINATOR TO THE PUBLIC ALLIANCE INSURANCE COVERAGE FUND

R-2005-98

BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that it hereby appoints Vita Mekovetz, Administrator/Municipal Clerk, as the Safety Coordinator and Scott Jesseman, Director of Public Works, as the Alternate Safety Coordinator to the Public Alliance Insurance Coverage Fund; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the following:

1. Vita Mekovetz, Safety Coordinator
2. Scott Jesseman, Alternate Safety Coordinator
3. Public Alliance Insurance Coverage Fund

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

2. **Ordinance Establishing a Recreation Committee** - introduction.

Administrator Mekovetz said the draft sent to the Committee with the agenda incorporated her previous suggestions. The draft on the dias contains Attorney Dragan's comments.

Attorney Dragan referred to Section 3, Membership. She said there is no provision for a Chair or Vice Chair.

Mr. Auriemma said there is none. The Recreation Director runs the meetings.

Attorney Dragan said that is not how the other Boards/Commissions are structured.

Administrator Mekovetz said she also had the same concern.

After a short discussion, the following Ordinance was offered for introduction:

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

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY ESTABLISHING A RECREATION COMMITTEE

Ordinance #23-2005

BE IT ENACTED AND ORDAINED, by the Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey as follows:

SECTION 1. There is hereby established in and for the Township of Readington a Recreation Committee.

SECTION 2. Responsibilities.

The Recreation Committee shall have the responsibility to:

- A. Meet at least 10 times per year.
- B. Develop and make recommendations to the Township Committee regarding programs and events run by the Township Recreation Department, for approval by the Township Committee
- C. Develop and make recommendations to the Township Committee for establishing policies and procedures for implementing the programs and events run by the Township Recreation Department, for approval by the Township Committee;
- D. Provide information to maintain a current Recreation Department webpage as part of the Township's website, where information can be found by the public

describing; how the Recreation Committee and Department work, all programs and events being run by the Recreation Department and what policies and procedures exist for their implementation

- E. Oversee the implementation of approved programs, policies and procedures and carry out such other advisory, educational and information functions as will promote recreation in the Township.
- F. Keep records of its meetings and activities and make an annual report to the Township Committee. The Recreation Committee may select a Secretary for this purpose, who may or may not be a member of the Recreation Committee.
- G. Develop a process for and nominate members to the Recreation Committee for appointment by the Mayor and approval by the Township Committee.
- H. Develop and approve by-laws for its governance.

SECTION 3. Membership

- A. The Recreation Committee shall consist of seven (7) members plus two (2) alternates. The members of the Recreation Committee shall designate one (1) of such members to serve as Chair and presiding officer of the Committee. They shall also designate a Vice Chair. In addition, the Recreation Director and one (1) member of the Township Committee shall also serve as non-voting members. All members shall be residents of Readington Township. The members shall serve without compensation except that they shall be reimbursed for expenses incurred in the performance of official business. The term commitment as a member shall be one (1) year.
- B. A vacancy occurring other than by expiration of a term shall be filled upon the recommendation of the Recreation Committee with approval by Mayor and Township Committee.
- C. No member may participate or act on any matter in which he or she has, either directly or indirectly, any personal or financial interest.
- D. A member of the Recreation Committee may (after public hearing if he or she requests it) be removed by the Township Committee for cause.

SECTION 4. OTHER.

- A. All meetings shall comply with the New Jersey Open Public Meetings Act (*N.J.S.A. 10:4-7, et seq.*).
- B. The Recreation Committee may secure the voluntary assistance of the public and recommend additional employees for hire from time to time for the consideration of the Township Committee.

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective immediately upon final adoption and publication required by law.

SECTION 6. REPEALER

This ordinance repeals all prior ordinances or portions of ordinances inconsistent herewith

SECTION 7. SEVERABILITY.

If any portion of this ordinance shall be deemed invalid, such portion shall not affect the validity of the remainder of the ordinance.

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

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

Public Hearing was scheduled for Monday, August 1, 2005 at 8:00 p.m.

3. ***Bond Ordinance/Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8 and Block 67, Lot 2, (Solberg Aviation/Hromoho)*** - introduction.

Mayor Gatti said this ordinance allows the Township to open negotiations with the Solberg family regarding this property.

Mrs. Allen said during a series of meetings with the NJDOT, NJDEP and members of the Township Committee, the State agencies described their efforts to negotiate and subsequently acquire Solberg Airport. The Division of Aeronautics desire to bring Solberg Airport into public ownership for the preservation of the airport as a general aviation airport and also to preserve the open space around the airport to protect the airport and the resources. NJDOT went to contract with the owners of Solberg Airport. The NJDOT Commissioner at the time, Ted Mathews, said they had no plans to expand the airport but they were trying to preserve the airport.

Mayor Gatti said this property was identified in 2001 by the Township's Master Plan as a high priority for preservation.

Mr. Shamey said that this is not a condemnation or eminent domain action. It opens the door to negotiations. It presents the possibility of a contingency-free negotiated resolution to the issue regarding the preservation of the airport. This would also involve a tremendous amount of financial assistance from the State.

The following Ordinance was offered for introduction:

BOND ORDINANCE PROVIDING FOR ACQUISITION OF AIRPORT AND LAND FOR PRESERVATION (BLOCK 48, LOT 23; BLOCK 55, LOT 33; BLOCK 56, LOTS 1, 3, 6, & 8 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

Ordinance #24-2005

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

SECTION 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Readington, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$21,700,000, including the sum of \$300,000 to be used as a down payment on that portion of the project not being financed through grants or other sources. The remainder of the down payment is not required pursuant to *N.J.S.A. 40A:2-11(c)* as this bond ordinance authorizes obligations solely for a purpose described in *N.J.S.A. 40A:2-7(d)* as more fully explained in Section 6(e) of this ordinance.

SECTION 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$21,700,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for the acquisition of property consisting of Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8 and Block 67, Lot 2, (Owner: Solberg Aviation /Hromoho) all as shown on and in accordance with the plans and specifications therefor on file in the office of the Clerk.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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

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

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

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

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

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$21,700,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,000,000 for items of expense listed in and permitted under *N.J.S.A. 40A:2-20* is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in *N.J.S.A. 40A:2-7(d)*. This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Township. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Township or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board, in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to

this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

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

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

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

SECTION 10. The Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as the case may be, are authorized pursuant to *N.J.S.A. 40A:12-1 et seq.*, and any other applicable law, to prepare and sign any and all necessary documentation to effectuate the acquisition as described herein, concerning the property known as Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8 and Block 67, Lot 2, including, but not limited to, any contracts and amendments thereto and all closing documents needed to complete the purchase.

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

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

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

Public Hearing was scheduled for Monday, August 15, 2005 at 8:00 p.m.

Mayor Gatti read the following Press Release into the record:

**READINGTON TOWNSHIP INTRODUCES BOND ORDINANCE FOR
PURPOSE OF NEGOTIATING PURCHASE OF SOLBERG AIRPORT**

READINGTON TOWNSHIP, N.J., July 18, 2005. The Readington Township Committee, at its regular meeting July 18, 2005, discussed and took action on a proposal to further negotiations with the Solberg family for the purchase of Solberg Airport. The State has been working to acquire the airport and surrounding property since April of 2002, when the Department of Transportation (DOT) entered into a contract with the Solberg Family to purchase the 730-acre airport for \$22 million dollars. The State DOT has informed the township that although their contract with Solberg Aviation has lapsed, the State continues to advocate public ownership of the Solberg Airport tract as part of its policy to preserve recreational airports in New Jersey. Representatives of the State DOT have approached Readington Township proposing a partnership in the purchase of Solberg Airport, with Readington serving as the lead agency. Under this arrangement, if it were to be successful, Readington Township would become the owner of the airport, with the State subsequently reimbursing a significant portion of the cost through a variety of land preservation funding sources.

A 2001 amendment to Readington Township's Master Plan identified the 730-acre airport and open space parcel as a high priority for preservation. The number of small general aviation airports in New Jersey has been steadily decreasing. Because of the statewide importance of this airport, the State and Readington have a shared goal to preserve the small general aviation airport as it exists today, to upgrade the existing facilities, and to preserve the open space surrounding the airport for recreational and conservation purposes.

Under the proposed plan, Readington, as owner of the airport, would assure that Solberg Airport would continue as a small, well maintained, recreational airport, and continue to offer services similar to those now at the airport, including hosting the New Jersey Festival of Ballooning. Discussions are ongoing with DEP for various funding options designed to limit any impact on the Township's tax rate. Over 600 acres of land surrounding the actual airport operation would be permanently preserved as open space to protect both the airport and its ability to operate safely, and the natural resources of the land, which includes the watershed of the Holland Brook, important wildlife habitat and various township recreational opportunities.

The Readington Township Committee is hopeful that it can put itself in a position to offer the Solberg Family a cash purchase without contingencies. This approach of purchasing and then applying for reimbursement has been employed many times by Readington in its highly successful land preservation efforts. In order to move quickly with such an offer, the Township Committee has introduced a bond ordinance of up to \$22 million for the purpose of providing funding. Should the purchase not proceed, the bond ordinance would terminate unspent. The public hearing is set for the second meeting in August.

4. ***Acceptance of 2004 Report of Audit*** - resolution.

This item was addressed under the Consent Agenda.

5. ***Postponement of Mortgage*** - 402 South Branch Drive/Flannery.

This item was addressed under the Consent Agenda.

6. ***Application for Catering Permit*** - Bridgewater Marriott (July 31st).

This item was addressed under the Consent Agenda.

7. ***Application for Blue Light Permit*** - Edward Drenkhahn

This item was addressed under the Consent Agenda.

K. ADMINISTRATOR'S REPORT:

Written report submitted.

Administrator Mekovetz said the deadline for submission of items for the next Township Newsletter is July 20th.

The auction of Block 15, Lot 24 is scheduled for July 27th at 3:00 p.m. Max Spann has been contracted to provide auctioneer services.

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

L. ATTORNEY'S REPORT:

Written report submitted.

Attorney Dragan said the Township is purchasing an Agricultural Development Rights Easement on the Estate of Stuart Kean. There was a culvert on Craig Road which is on this property. Normally the County owns all structures such as bridges, culverts, etc. and they usually ask the owner to give them a bridge maintenance easement.

Attorney Dragan said the County has this structure on their inactive list, but they are will to take over the maintenance. All agreed that the County should be responsible for maintenance of the culvert.

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

M. ENGINEER'S REPORT:

Written report submitted.

Engineer McEldowney said that inclement weather has delayed the paving of Mountain Road. He complemented the residents on Mountain Road who have been very patient and cooperative during the process.

Engineer McEldowney said he received the Stream Encroachment Permit for the Mill Road project.

Engineer McEldowney said the Senior Walkway Bid will be advertised this week.

N. COMMITTEE REPORTS:

1. Frank Gatti:

a. Finance Department

1. *Monthly Collection Report* for June, 2005.

This item was addressed under the Consent Agenda.

2. *Monthly Collection Report for Sewers* for June, 2005.

This item was addressed under the Consent Agenda.

3. *Lien Redemption* - resolution.

This item was addressed under the Consent Agenda.

4. *Payment of the Bills.*

This item was addressed under the Consent Agenda.

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

2. Gerry Shamey:

a. Liaison to Fire Companies and Rescue Squad

Mr. Shamey said the monthly Volunteer Emergency Services Meeting was held on July 11th. In June, 2005 the fire companies responded to a total of 44 calls expended a total of 229 man hours.

Mr. Shamey said there will be fire apparatus and other emergency equipment on-site at the Balloon Festival for the entire weekend.

Mr. Shamey said they are still waiting to hear about the grant for the East Whitehouse Fire Company's pumper.

Mr. Shamey asked Administrator Mekovetz to look into whether the School Board has acted on the reinstatement of courtesy bussing. In addition, he also asked about the status of the mailer that the Committee was supposed to review prior to it being sent out.

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

3. Julia Allen:

a. Farmland\Open Space Preservation\Land Projects Liaison

Mrs. Allen said the next Open Space Advisory Board meeting is July 20th.

Mrs. Allen said the round table discussion that was held on Wednesday, July 13th at 7:00 p.m. to discuss the Township's budget was a great success she suggested that another meeting be scheduled.

After a short discussion, a second round table discussion was scheduled for Wednesday, July 27th at 7:00 p.m.

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

4. Thomas Auriemma:

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

5. Beatrice Muir:

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

COMMENTS FROM THE PUBLIC:

Mayor Gatti asked for comments from the public.

Ms. Inga Krug referred to the Township's Zoning Ordinance. She asked for an interpretation regarding off-street parking.

Attorney Dragan said she would have to review the ordinance.

Ms. Krug said if a residence has a driveway and garage with enough room for their vehicles, should they be allowed to park on the street?

Mrs. Allen said parking is allowed on the street unless it is specifically prohibited and there are no-parking signs.

Administrator Mekovetz suggested that Ms. Krug contact the Zoning Officer.

Ms. Krug asked what inspections are done when a septic system is redone.

Mr. Shamey suggested that Ms. Krug contact the Hunterdon County Health Department as they are responsible for approving septic designs and also conduct inspections during construction.

Mr. Don Baldwin referred to the press release read earlier by Mayor Gatti. He asked for a copy.

Administrator Mekovetz gave Mr. Baldwin a copy.

Mr. Baldwin asked if there was an ordinance to acquire Solberg Airport.

Mayor Gatti said the bond ordinance is a vehicle to enter into negotiations.

Mr. Baldwin asked if the \$22 million will affect the Township's debt and bonding limit.

Administrator Mekovetz said it will increase the debt amount but it will not reach the bonding limit.

Mayor Gatti said the limit is 3.5% of the assessed valuation of the Township.

Mrs. Allen said the majority of the Township's debt is land debt. The Township uses bonding as a revolving fund to preserve land. The Township pays cash for the preserved land or easement and then get reimbursed.

Mr. Baldwin asked if the bond ordinance contains any reference to *N.J.S.A. 20:36*, the Eminent Domain Statute.

Mayor Gatti said it does not.

Mr. Rich Zwerling asked how many acres on this property are currently not in the footprint of the airport itself.

Mrs. Allen said the actual disturbed land that is airport property is probably only 60 acres. It is a 726 acre site.

Mr. Zwerling asked if the property is in the AR zone.

Mrs. Allen said the zoning is six (6) acre Agriculture Residential on 620 +/- acres and three (3) acre Rural Residential on 100+/- acres.

Mr. Zwerling said that means approximately 120 homes could be built on the site.

Mrs. Allen said it is much cheaper for a municipality to preserve open land than to develop it.

COMMENTS FROM THE GOVERNING BODY:

Mayor Gatti asked for comments from the Governing Body. There were 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 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>
Block 80, Lots 1 & 2 (Readington Twp.).....	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Block 98, Lot 2 (Padovani).....	Contract Negotiations.....	" " "
Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters).....	Contract Negotiations.....	" " "
Executive Session Minutes - (June 20, 2005 & July 5, 2005).....	Attorney-Client Privilege.....	" " "
Professional Services.....	Contract Negotiations.....	" " "
Plenary Retail Distribution License Bid Package.....	Attorney-Client Privilege.....	" " "

A **MOTION** was made at 9:15 p.m. by Mrs. Allen to adopt this Resolution, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

Mr. Shamey left the meeting at this time.

The meeting reconvened at 10:05 p.m.

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

Contract Negotiations - Block 80, Lots 1 & 2 (Readington Twp.)

A **MOTION** was made by Mr. Auriemma to authorize Engineer McEldowney to perform a survey on Block 80, Lots 1 & 2 (Readington Township). This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations - Block 98, Lot 2 (Padovani)

A **MOTION** was made by Mrs. Allen to approve the contract, as amended, for Block 98, Lot 2 (Padovani). This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Contract Negotiations - Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters)

A **MOTION** was made by Mr. Auriemma to approve the contract, as amended, for Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters). This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Attorney-Client Privilege - Executive Session Minutes (June 20, 2005 & July 5, 2005)

A **MOTION** was made by Mr. Auriemma to approve the Executive Session minutes of the meetings of June 20, 2005 and July 5, 2005 for content. This motion was seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Professional Services - Connell Foley, LLP

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2005-97**

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

WHEREAS, the Local Public Contract Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services without competitive bids must be publicly advertised.

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

1. That the following contract has been awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A.* 40A:11-5(1) (a) of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:

Connell Foley, LLP. to represent the Township in matters pertaining to the potential acquisition of Solberg Airport at the following rates:
Partners - \$250 per hour; Associates - \$200 per hour

2. Said contract shall expire on July 18, 2006.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
4. This Resolution shall take effect immediately.

A MOTION was made by 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
Mayor Gatti - Aye

Attorney-Client Privilege - Plenary Retail Distribution License Bid Package

A MOTION was made by Mr. Auriemma to authorize Administrator Mekovetz to readvertise the Plenary Retail Distribution License Bid Package. This motion was seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Attorney Dragan referred to the Bond Ordinance introduced earlier in the meeting and said that the following language was added:

SECTION 10. The Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as the case may be, are authorized pursuant to *N.J.S.A.* 40A:12-1 *et seq.*, and any other applicable law, to prepare and sign any and all necessary documentation to effectuate the acquisition as described herein, concerning the property known as Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8 and Block 67, Lot 2, including, but not limited to, any contracts and amendments thereto and all closing documents needed to complete the purchase.

ADJOURNMENT

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

Respectfully Submitted:

Vita Mekovetz, RMC\CMC
Municipal Clerk\Administrator