

**READINGTON TOWNSHIP COMMITTEE
MEETING – October 5, 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, Mrs. B. Muir, Mr. F. Gatti, Mr. T. Auriemma,
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>
Museum Committee.....	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will remain confidential
Building and Grounds/Recreation...	Personnel.....	“ “ “
Main Street (Block 34, Lot 8)/.....	Contract Negotiations.....	“ “ “
Winfield Management/..... Sewer Agreement	Contract Negotiations.....	“ “ “
Civil Action Summons/Tilcon.....	Litigation.....	“ “ “
Executive Session Minutes..... (September 21, 2009)	Attorney-Client Privilege.....	“ “ “
Block 48, Lot 23; Block 55, Lot 33, Block 56, Lots 1, 3, 6 & 8; Block Lot 24 and Block 67, Lot 2 (Solberg Aviation/Hromoho)	Litigation.....	“ “ “

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 Mrs. Muir to adopt this resolution, seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

The meeting reconvened 7:40 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/Museum Committee

A **MOTION** was made by Mr. Gatti to appoint Helen Marie Farrant for a position on the Museum Committee, seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

Personnel/Building and Grounds/Recreation

Mayor Allen stated that this matter remains in Executive Session.

Contract Negotiations/Block 34, Lot 8 (Main Street)

Mayor Allen stated that this matter remains in Executive Session.

Contract Negotiations/Winfield Management /Sewer Agreement

Mayor Allen stated that this matter remains in Executive Session.

Litigation/Civil Action Summons/Tilcon

Mayor Allen stated that this matter remains in Executive Session.

Attorney-Client Privilege/Executive Session Minutes (September 21, 2009)

A **MOTION** was made by Mr. Shamey to approve the Executive Session Minutes of September 21, 2009 for content only, seconded by Mr. Gatti with a vote of ayes all, nays none recorded. Mr. Auriemma abstained since he was not present at that meeting.

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 that this matter remains 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.

- p1. **APPROVAL OF MINUTES** of meeting of September 21, 2009
- p2. ***Township of Readington Calling Upon the State Legislature to Address the Inequity in the Court Decision of Homes of Hope v. Township of Eastampton***

The following resolution was offered for consideration:

#R-2009-109

**TOWNSHIP OF READINGTON
 RESOLUTION CALLING UPON THE STATE LEGISLATURE TO ADDRESS THE
 INEQUITY IN THE COURT DECISION OF HOMES OF HOPE V. TOWNSHIP OF
 EASTAMPTON**

WHEREAS, on Monday, August 24, 2009, an Appellate Division panel in the case of Homes of Hope v. Township of Eastampton affirmed a lower court ruling that a developer can still argue affordable housing is “inherently beneficial”, and compel a municipality to accept more than its fair share of regional need, even if the municipality has satisfied its regional need; and

WHEREAS, this action was brought against Eastampton even though the Township had met and exceeded its affordable housing obligations; and

WHEREAS, in a concurring opinion it was stated that the Legislature may need to act to correct the apparent conflict between the concept of “inherently beneficial uses” under the Municipal Land Use Law and the Fair Housing Act:

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, that the State Legislature should immediately pass legislation to correct the Eastampton decision by providing that no municipality may be compelled through variance or otherwise to provide more than its fair share of affordable housing; and,

BE IT FURTHER RESOLVED, that copies of this resolution be forward to New Jersey Legislators, the President of the State Senate, the Speaker of the General Assembly, the New Jersey League of Municipalities and the Governor of the State of New Jersey.

ρ3. **Sokol, Paul and Patricia, Block 75, Lot 12** – request to return driveway bond

ρ4. **Payment of Bills**

Fund Description	Fund No.	Received Total
CURRENT FUND	9-01	\$ 289,038.11
SEWER APPROPR.	9-02	\$ 100,400.78
TRUST FUNDS	X-03	\$ 13,934.14
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 12,486.95
PAYROLL DEDUCTIONS	X-06	\$ 141,774.15
REGIONAL & SCHOOL TAX	X-07	\$2,461,193.00
DUE TO STATE OF NJ	X-09	<u>\$ 792,212.47</u>
TOTAL OF ALL FUNDS		\$ 3,811,039.60

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
- Mr. Shamey - Aye
- Mayor Allen - Aye

PRESENTATION – Lt. Sebastian Donaruma /F.B.I. Academy

Chief Paganessi presented to Lt. Sebastian Donaruma a commendation plaque in recognition of his successful graduation from the F.B.I. Academy. Lt. Donaruma stated that he is looking forward to taking what he has learned at the academy and applying it to Readington Township.

PUBLIC HEARINGS

Mayor Allen stated that the Committee would not be able to consider this ordinance for adoption tonight because the Planning Board had cancelled their meeting; therefore they were unable to review the ordinance.

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

Clerk read by Title:

**AN ORDINANCE AMENDING ORDINANCE AMENDING SEC. 148-111 OF
THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP
OF READINGTON REGARDING COAH DEVELOPMENT FEES**

ORDINANCE #27-2009

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

There were none.

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

There were none.

A MOTION was made by Mr. Shamey to carry the Public Hearing to the next meeting, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

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

CORRESPONDENCE/OTHER INFORMATION

1. Public Notice from Debora Padgett, Planning Board Clerk, Township of Hillsborough regarding **Public Hearing to Review and Adopt the Comprehensive Farmland Preservation Plan pursuant to N.J.S.A. 40:55D-28.** No action taken.
2. Memorandum dated September 18, 2009 from Sue Dziamara, Planning Board Director, Hunterdon County Planning Board regarding **Endorsing the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009.”** No action taken.
3. Sample Proclamation from the Readington Township Police Department regarding **Declaring October 10, 2009 “Put the Brakes on Fatalities Day.”**

The following resolution was offered for consideration:

#R-2009-110

**TOWNSHIP OF READINGTON
RESOLUTION TO DECLARE OCTOBER 10, 2009 “PUT THE BRAKES ON FATALITIES
DAY”**

WHEREAS, across the nation, traffic crashes caused nearly 40,000 fatalities in 2008, and are the leading cause of death for young people ages 3 to 34; and

WHEREAS, in New Jersey, 591 individuals lost their lives in traffic crashes in 2008; and,

WHEREAS, alcohol-related crashes accounted for 26 percent of the State's traffic fatalities; and

WHEREAS, unsafe speed was a factor in more than 22,000 crashes; and,

WHEREAS, motorcyclists, bicycle rides and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation;; and,

WHEREAS, 78 motorcyclists, 21 bicyclists and 135 pedestrians were killed in New Jersey in traffic-related crashes in 2008; and,

WHEREAS, safer driving behaviors such as buckling up, every ride; obeying posted speed limits; avoiding aggressive driving behaviors; never drinking and driving; wearing proper safety gear when riding a motorcycle or bicycle; and , focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and death on our roadways;

NOW, THEREFORE, the Township Committee of the Township of Readington, does hereby proclaim October 10, 2009, *Put the Brakes on Fatalities Day*, and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

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

4. Memorandum dated September 24, 2009 from Tricia Houck, Deputy Clerk, Township of Clinton regarding ***An Ordinance Supplementing and Amending Subsection 165-50(I), Construction Permits for Site Plans or Section 165-50, Final Plat and Final Site Plan, f Chapter 165 of the Code of the Township of Clinton to Prohibit the Issuance of a Construction Permit Prior to Final Site Plan Approval.*** No action taken.
5. Letter dated September 24, 2009 from Margaret I. Waldock, Executive Director, Hunterdon Land Trust Alliance regarding ***A Resolution Supporting the "Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009."***

The following resolution was offered for consideration:

#R-2009-111

**RESOLUTION ENDORSING THE
"GREEN ACRES, WATER SUPPLY AND FLOODPLAIN PROTECTION, AND
FARMLAND AND HISTORIC PRESERVATION BOND ACT OF 2009"**

WHEREAS, continued investment in open space, farmland and historic preservation is vitally important to the state, as it enhances New Jersey's economy and health, safeguards its remaining natural, agricultural, recreational and cultural resources and preserves its character; and

WHEREAS, New Jersey continues to face incredible pressure from development, losing 50 acres of open space daily in recent years to new development projects; and

WHEREAS, protecting open spaces and improving community parks throughout the State, including urban areas, supports New Jersey state and local economies by stabilizing local property taxes and revitalizing communities; and

Resolution #R-2009-111 cont'd:

WHEREAS, the Garden State Preservation Trust, the financing authority for the Green Acres, Farmland Preservation, and Historic Preservation programs, is virtually depleted despite the continued need for the programs it makes possible; and

WHEREAS, on November 3, 2009, the voters of New Jersey should be asked to approve the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009," which authorizes the state to issue \$400 million in bonds to fund New Jersey's preservation programs; and

WHEREAS, passage of the Bond Act, which will equate to \$10 per household per year, is desperately needed to fund the continued protection of New Jersey's natural areas and cultural sites while a long-term funding solution for the Garden State Preservation Trust is determined and secured; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the municipality of the Township of Readington, in the county of Hunterdon and State of New Jersey as follows:

1. The municipality encourages the voters of New Jersey to vote yes on the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009, on November 3, 2009.
2. The Municipal Clerk is hereby authorized to provide a copy of this Resolution to the following:

Duly authenticated copies of this Resolution shall be transmitted to:

- The Honorable Jon Corzine, Office of the Governor, PO Box 001, Trenton, NJ 08625 State Senators
- State Assemblypersons
- Keep It Green c/o NJ Audubon Society, 142 W. State Street, 4th Floor, Trenton, NJ 08608
- Daily and Weekly Newspapers
- Margaret Waldo, Executive Director, Hunterdon Land Trust Alliance
- Neighboring Municipalities

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

OLD BUSINESS

1. **ATV Noise Ordinance** – discussion

Mr. Gatti stated that this model off-road vehicle ordinance was a sample from the NJDEP. Mr. Shamey stated that he the determination of "whether or not the impact is affecting the complainant's enjoyment of life" as stated in the ordinance could be very subjective. Mrs. Muir was concerned about the 400 feet, due to the fact that some responsible owners do have smaller lots and suggested that a couple 100 feet would be more reasonable. Mr. Auriemma stated that in his opinion off -road vehicles should not be permitted at night. Mrs. Muir added that there should be an exception for consenting neighbors. The Committee agreed some action should be taken regarding this issue and requested Attorney Dragan to incorporate these suggestions into draft the ordinance, in addition to having the police department review the draft first.

NEW BUSINESS

1. **AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF A STREAM CORRIDOR PROTECTION EASEMENT ON A PORTION OF BLOCK 76, LOTS 2.03,2.04 AND 2.05 IN THE TOWNSHIP OF READING TON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM THE CLYDE H. ALLISON DISCLAIMER TRUST**

Mayor Allen stated when the Planning Board approves a site plan or subdivision and it is in proximity of a stream, there is an ordinance which requires the stream corridor is protected by an easement with no disturbance in this area.

The following ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF A STREAM CORRIDOR PROTECTION EASEMENT ON A PORTION OF BLOCK 76, LOT 2.03 (TO BECOME LOTS 2.03, 2.04 AND 2.05) IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM THE CLYDE H. ALLISON DISCLAIMER TRUST

ORDINANCE #28-2009

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

SECTION 1. The Township of Readington shall accept a stream corridor protection easement ("Easement") on a portion of property known as Block 76, Lot 2.03, to be known as Lots 2.03, 2.04 and 2.05 (upon subdivision) in the Township of Readington, which has been dedicated on the aforesaid property by Clyde H. Allison, as attorney in fact for Douglas L. Allison and Kenneth Allison, co-trustees of the Clyde H. Allison Disclaimer Trust u/w Shirley J. Allison dated November 19, 1996, (hereinafter "Grantor"), pursuant to a preliminary and final major subdivision plan approval granted by the Readington Township Planning Board in Resolution # 2009-268, memorialized on July 13, 2009. The purpose of the Easement is to ensure that the area covered by it will remain in its natural and existing state in perpetuity, except as stated in the Easement document. There is no public right of use to Readington Township created by this Easement; it is subject to limited access by the township only for the purposes of inspection and enforcement. The aforesaid Easement shall run with the land and be binding on the Grantor and the Grantor's heirs and assigns. It is on file in the office of the Readington Township Clerk, at the Readington Township Municipal Building, 509 Route 523, Whitehouse Station, N.J.

SECTION 2. If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall take effect immediately upon final adoption and publication according to law, upon recording of the Easement in the Hunterdon County Clerk's office and upon recording of the ordinance in the aforesaid Clerk's Office.

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

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

A Public Hearing was scheduled for October 19, 2009 at 8:00 p.m.

- A BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 93, LTO 1, OWNER: AMAWALK IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$571,000 THEREFOR AND AUTHORIZING THE ISSURANCE OF \$542,450 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF***

Mayor Allen stated that this is a 24 acre property in Three Bridges which includes a house on a one acre lot which would be resold and the Township will apply for Green Acres funding under the Planning Incentive Grant.

The following ordinance was offered for introduction:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 93, LOT 1, OWNER: AMAWALK) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$571,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$542,450 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

ORDINANCE #29-2009

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 (the “Township”) as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$571,000, including the sum of \$28,550 as the down payment required by the Local Bond Law. The down payment is now available from the Open Space Trust Fund.

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 \$542,450 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 the acquisition of property known as Block 93, Lot 1 (Owner: Amawalk) on the tax maps of the Township, including all related costs and expenditures incidental thereto.

(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 Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Ordinance #29-2009 cont'd:

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 \$542,450, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$25,000 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.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. 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 9. 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 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 93, Lot 1 (Owner: Amawalk), including, but not limited to, any contracts and amendments thereto and all closing documents needed to complete the purchase.

Section 11. 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.

Ordinance #29-2009 cont'd:

Section 12. 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. Muir to introduce this ordinance, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

A Public Hearing was scheduled for October 19, 2009 at 8:00 p.m.

3. **Potterstown Road** – Letter dated September 2, 2009

The Committee discussed the request for signage enforcement of speed limits on this road. It was agreed to authorize the Department of Public Works to install the police recommended four signs and coordinate the placement of the signs with Clinton Township.

A **MOTION** was made by Mrs. Muir to approve the installment of four signs on Potterstown Road, seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

4. **Sewer Advisory Board Recommendations** – September 29, 2009 meeting

γ **Ryland Office Park, LLC/Walgreens, Block 8, Lot 4, 5, 6, & 7**

Attorney Dragan stated that this agreement had a provision written in that it could be transferred by Ferber to any property in which Ferber had an interest and Attorney Dragan further stated this is the only agreement written as such.

A **MOTION** was made by Mr. Auriemma to approve the transfer of 1,365 gallons of capacity to Block 8, Lots 4, 5, 6 & 7, pursuant to proof of interest, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

γ **Mark Hartman/Site Plan-Subdivision, Block 36, Lots 47 & 48**

Mayor Allen stated the Sewer Advisory Board is recommending adding 5,600 gallons to Block 36, Lots 47 and 48. Mayor Allen stated Readington Township has an ordinance that requires any additional gallonage is designated for either emergencies or to COAH housing, which in this case is fifteen COAH units and one market rate unit for a maintenance personnel.

A **MOTION** was made by Mr. Shamey to approve adding 5,600 gallons of sewer capacity to Block 36, Lots 47 and 48 and request Attorney Dragan to draft a sewer agreement, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

γ **Helfman, Block 42, Lot 3.03**

Mayor Allen stated this is a site with a failing septic system on Pulaski Road and the recommendation by the Sewer Advisory Board was to grant them capacity for one unit.

A MOTION was made by Mr. Shamey to approve the capacity for one unit, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Engineer McEldowney stated that there are considerations on the Pulaski Road lot and also the next lot that are both associated with Mimosa Drive.

Engineer McEldowney stated that they are anticipating, based upon an earlier problem, the possibility of a septic system malfunction. Engineer McEldowney stated that the actual sewer service area on the proposed draft of the revised sewer service map in the wastewater management plan includes these lots which would be consistent with the area wide wastewater management plan. Engineer McEldowney stated that the Sewer Advisory Board acknowledges the need to coordinate how this would actually be done so they are asking to limit it to one unit; however, the engineering must be coordinated very carefully to tie these lots in to sewer service system.

A MOTION was made by Mrs. Muir to amend the previous motion to include language to approve the capacity for one unit conditional on approval to be worked out by their engineer, and then reviewed and approved by the Township engineer and request Attorney Dragan to draft a sewer agreement, seconded by Mr. Shamey and on Roll Call vote the following was recorded:

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

γ **Lykins, Block 43, Lot 3**

A MOTION was to by Mrs. Muir to approve the capacity for one unit conditional on approval to be worked out by their engineer and then reviewed and approved by the Township engineer and request Attorney Dragan to draft a sewer agreement, seconded by Mr. Shamey and on Roll Call vote the following was recorded:

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

- ρ5. ***TOWNSHIP OF READINGTON CALLING UPON THE STATE LEGISLATURE TO ADDRESS THE INEQUITY IN THE COURT DECISION OF HOMES OF HOPE V. TOWNSHP OF EASTAMPTON***

This item was addressed under Consent Agenda.

- ρ6. ***Sokol, Paul and Patricia, Block 75, Lot 12*** – request to return driveway bond

This item was addressed under Consent Agenda.

7. ***Readington Trail Association*** – Fall Poker Ride – late October

Al, president of the Readington Trail Association, requested permission to use the property as they do for the Trail Pace and host a Fall Poker Ride.

A MOTION was made by Mr. Shamey to approve the Fall Poker Ride, seconded Mr. Gatti with a vote of ayes all, nays none recorded.

ADMINISTRATOR'S REPORT

Administrator Mekovetz stated that there have been some discussions on OPRA fees and asked the Committee whether the Committee would consider fees based on the actual cost of copying. The Committee requested that Administrator Mekovetz determine what the actual cost would be.

Administrator Mekovetz reported that she had a complaint from Cheryl Filler about the cigarette butts at Chubb again. Attorney Dragan suggested installing an anti-littering sign.

ATTORNEY'S REPORT

Attorney Dragan stated she had nothing to report.

ENGINEER'S REPORT

Engineer McEldowney stated he had nothing to report.

COMMITTEE REPORTS

Mayor Allen

Mayor Allen reported that the Township will be submitting an application to the County for farms and already has in an application for the municipal planning incentive grant for 20% funding on lot 17.

Mayor Allen reported there will be an Open Space Walk the third Sunday of the month on Pleasant Run Greenway and there will be bus tour of preserved farms which is scheduled for Saturday, October 24th at 1:00 p.m.

Mayor Allen stated Readington Volunteer Fire Company had a picnic on Saturday and appreciated the fact that they were invited.

Thomas Auriemma

Mr. Auriemma requested that the graffiti be removed on the Cornhuskers sign and also the signs at the corner of Kosciuszko and Readington Road.

Frank Gatti

Mr. Gatti stated the Museum Committee is holding an exhibit called “Things They Made, Hunterdon County Artisans” which is open every day from now until October 15th from 1:00 to 4:00.

Mr. Gatti stated that the Police Department received their commercial grant from the federal government for a mobile command unit.

Beatrice Muir

Mrs. Muir read a portion of a letter from Diane Clapp stating “*the community response to our request of back to school supplies was once again overwhelming and the children received brand new backpacks or bags stuffed with school supplies, kicking off an exciting 2009 school year. Special thanks to the Three Bridges MOMS Club, the Readington Reformed Church and Readington Reformed Church Vacation Bible Camp, Whitehouse Station Girl Scout Troop 58, community members who dropped off school supplies at the building and the Starfish members that helped sort, pack and deliver.*”

Gerard Shamey

Mr. Shamey stated he had nothing to report.

COMMENTS FROM THE PUBLIC

Kevin Grassie, from Boy Scout Troop 1969, appeared before the Committee to request recognition for a 40th year Anniversary for Troop 1969 and for their contribution to the community. Kevin stated he was also at the meeting for a merit badge for learning about township government meetings.

The following resolution was offered for consideration:

#R- 2009-112

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Readington Township Committee has become aware that Troop 1969, Boy Scouts of America, Stanton is this year marking the fortieth anniversary of its founding,

WHEREAS, the Boy Scouts of America is one of the largest and most prominent values-based youth development organizations, providing a program for young people whose aims are to build character, train youths in leadership and the responsibilities of participating citizenship, and develop personal fitness, and

WHEREAS, Troop 1969 was chartered by Readington Reformed Church in September 1969, when the Rev. Richard Miller recognized the need for a Boy Scout troop in the area, and the troop was allowed to use the special four digit troop number to honor the nation’s pride in having landed the first men on the moon the previous July, and

WHEREAS, for these forty years, Troop 1969 has helped build the future leaders of this country by combining educational activities and lifelong values with fun and thereby pursuing the aims of Scouting, and

WHEREAS, a multitude of selfless adult leaders have served to organize the troop’s activities and guide the boys through the scouting experience over the years: Scoutmaster Dr. W. Robert Jenkins, Rev. A. Miller, Andrew O’Sullivan, C. David Burford, Louis A. Moletierre, Charles A. White, Lawrence W. Thau, and for the last 10 years Douglas Clabough, in addition to a large number of dedicated assistant scoutmasters, troop committee members and Eagle alumni.

WHEREAS, in the 40 years of the troop’s existence approximately 400 youths have benefitted from participation in the life of the troop, participating in many memorable and character-forming camping, trekking, biking, canoeing and sailing and other outdoor adventures in places as far-flung as Alaska, and Puerto Rico, and

Resolution #R-2009-112 cont'd:

WHEREAS, over the past 40 years, at least 54 boys from Troop 1969 have attained the rank of Eagle Scout (the highest in Boy Scouts); each one leading others in a service project of 100-200 hours or more, greatly benefitting area schools, churches, cemeteries, charitable organizations, township and county parks, and other properties;

WHEREAS, Troop 1969 has maintained ongoing service commitments year after year providing valuable labor to the Holly Trail fundraiser, participating in the annual Flemington Food Pantry food drive, and placing Memorial Day flags for veterans in Newell Cemetery, as well as many other hours of service to the community, and contributing in many ways to the Hunterdon County Parks Commission and Readington Recreational Trails Program, and

WHEREAS, it is fitting that we pause our deliberations to specially recognize and honor this outstanding organization.

BE IT RESOLVED by the Township Committee of the Township of Readington that we honor and commend Troop 1969 of the Boy Scouts of America on the celebration of their 40th Anniversary, reflecting with deep admiration and appreciation on their long legacy of serving youth and maintaining the highest standard of American ideals.

BE IT FURTHER RESOLVED, that we wish them much success in their future endeavors.

A MOTION was made by Mrs. Muir to adopt a resolution commending Troop 1969 for their community service and in recognition of their 40th Anniversary, seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

As there was no further business, **A MOTION** was made by Mr. Shamey at 9:05 p.m. to adjourn the meeting, seconded by Mr. Gatti with vote of all ayes, nays none recorded.

Respectfully Submitted:

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