

**READINGTON TOWNSHIP COMMITTEE
MEETING – November 17, 2008**

Mayor Auriemma *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 T. Auriemma, Deputy Mayor J. Allen, Mrs. B. Muir,
Mr. G. Shamey

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan

ABSENT: Mr. F. Gatti

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>		
Contract Negotiations.....	Award of Ann Reno Barn..... Reconstruction	Certain information at the discretion of the Township Committee tonight...other information will remain confidential		
Contract Negotiations.....	Sewer Agreement/Winfield Mgmt.....	“	“	“
Contraction Negotiations.....	126 Buttercup Court..... Affordable Housing Unit	“	“	“
Contract Negotiations.....	109 Dove Cote Court (Rodgers).....	“	“	“
Contract Negotiations.....	Anderson House Affordable Housing Plan	“	“	“
Contract Negotiations.....	Allies, Inc. Affordable Housing Plan	“	“	“
Contract Negotiations.....	Four Seasons at Readington..... (Harlem Street Parkway)	“	“	“
Land Acq/Contract Negotiations...	Block 93, Lot 1 (Amawalk)....	“	“	“
Land Acq/Contract Negotiations.....	Block 22, Lot 6 (Jensen).....	“	“	“
Personnel.....	Administration.....	“	“	“
Attorney-Client Privilege.....	Executive Session Minutes..... (Oct. 20, 2008, Nov. 5, 2008)	“	“	“

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

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 Mrs. Allen with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:50 p.m.

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

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

Contract Negotiations/Award of Ann Reno Barn Reconstruction

#R-2008-130

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, the Readington Township Committee (“Committee”) publically advertised for bids for a construction project known as the “Ann Reno Barn” a historic barn to be erected at the Cushetunk Nature Preserve, located on Route 22 East, Whitehouse Station, which property is owned by the Township (hereinafter referred to as “the Property”); and

WHEREAS, on October 23, 2008, the Township Administrator/Clerk conducted the bid opening whereupon nine (9) bids were received for the construction project; and

WHEREAS, upon review, it was determined that the lowest bid, including the base bid and all alternates, was received from M.H.H.C. in the amount of \$130,040.00; that the second lowest bid, including the base bid and all alternates was received from Chalet Construction Company, Inc. (hereinafter “Chalet”) in the amount of \$138,500.00 and that the third lowest bid, including the base bid and all alternates was received from DeSapio Construction, Inc. in the amount of \$166,035.00; and

WHEREAS, upon review, the Township Attorney found that the bid from M.H.H.C. failed to include 1) an *audited* financial statement, 2) the Affirmative Action Form and 3) the signed Warranty Compliance form. The bid from Chalet failed to include an *audited* financial statement and, also, failed to answer the questions on the Affirmative Action Form as required. The above-referenced forms were all mandatory items on the Township’s checklist which stated on its face that the “failure to submit any item listed below shall result in rejection” of the bid. The failure to include mandatory items renders a bid unresponsive. Per N.J. case law, they constitute non-waivable defects in that the failure to provide them at the time of the bid would 1) result in an uncertainty that the agreement would be performed in accordance with the specifications and 2) would adversely affect competitive bidding by placing the non-compliant bidders 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 2004)*; and

WHEREAS, the bid from the third lowest bidder, DeSapio Construction, was reviewed and was found to be complete and it is recommended that it be accepted.

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 Attorney and rejects the bids received from M.H.H.C. and Chalet Construction Company, Inc. for the construction project on the above Property because they were deficient and non-responsive, for all the reasons set forth above, effective immediately.

Resolution #R-2008-130 cont'd:

2) The Township Committee hereby accepts the bid of the third lowest bidder, DeSapio Construction, Inc., in the amount of \$166,035.00 encompassing the base bid work and alternates 1, 2, 3, 4 and 5.

3) The Township Administrator/Clerk is authorized to notify all those who bid on the construction project for the Property, and the Mayor and Township Administrator/Clerk are authorized to sign the contract with DeSapio Construction, Inc.

A **MOTION** was made by Mr. Shamey to award the Ann Reno Barn Reconstruction to DeSapio Construction, the lowest qualified bidder, for \$166,035 including the five (5) alternates, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

The following Ordinance was offered for introduction:

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF THE ANN RENO BARN IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$225,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$151,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

ORDINANCE #36-2008

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 \$225,000, including the sum of \$74,000 as the down payment required by the Local Bond Law. The down payment is now available from the Reserve for Barn Restoration (County).

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 \$151,000 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 the reconstruction of the Ann Reno Barn at the Cushetunk Nature Preserve, including all work and materials necessary therefor and 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

Ordinance #36-2008 cont'd:

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.

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 15 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 \$151,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000 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 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 #36-2008 cont'd:

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

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

The Public Hearing was scheduled for 8:00 p.m. December 1, 2008.

Contract Negotiations/Sewer Agreement/Winfield Management

A ***MOTION*** was made by Mr. Shamey to approve the sewer agreement with Winfield Management, Block 8, Lot 3, to be included as part of our Affordable Housing Plan, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/126 Buttercup Court/Affordable Housing Unit

A ***MOTION*** was made by Mr. Shamey to approve the contract for the purchase of 126 Buttercup Court, Block 34, Lot 36.12 for the maximum purchase price of \$122,428, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/109 Dove Cote Court (Rodgers)

Mayor Auriemma stated this matter remains in Executive Session.

Contract Negotiations/Anderson House Affordable Housing Plan/Block 25, Lot 44

A ***MOTION*** was by Mr. Shamey to approve the amended agreement between the Township of Readington and Anderson House to assist the Township in meeting its affordable housing obligations, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations/Allies, Inc. Affordable Housing Plan

A ***MOTION*** was by Mr. Shamey to approve the amended agreement between the Township of Readington and Allies, Inc. to assist the Township in meeting its affordable housing obligations, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations/Four Seasons at Readington (Harlem Street Parkway)

Mayor Auriemma stated this matter remains in Executive Session.

Land Acq/Contract Negotiation/Block 93, Lot 1 (Amawalk)

Mayor Auriemma stated this matter remains in Executive Session.

Land Acq/Contract Negotiations/Block 22, Lot 6 (Jensen)

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

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

Personnel/Administration

The following Resolution was offered for consideration:

#R-2008-126

TOWNSHIP OF READINGTON

***RESOLUTION FOR INCREASING BID THRESHOLD AND
APPOINTING A QUALIFIED PURCHASING AGENT***

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$29,000; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Vita Mekovetz possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, the Township of Readington desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Township of Readington, in the County of Hunterdon, in the State of New Jersey, hereby increases its bid threshold to \$29,000; and

BE IT FURTHER RESOLVED, that the governing body hereby appoints Vita Mekovetz as the Qualified Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting units; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Vita Mekovetz's certification to the Director of the Division of Local Government Services.

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

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

Attorney-Client Privilege/Executive Session Minutes (October 20, 2008, November 5, 2008)

Mayor Auriemma stated due to the absence of Mr. Gatti the October 20, 2008 Executive Session Minutes will be deferred to the next meeting.

A **MOTION** was made by Mr. Shamey to approve the Executive Session Minutes of November 5, 2008 for content only, seconded by Mrs. Muir with a vote of ayes all, Mrs. Allen abstained since she was not present at that meeting.

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

Mayor Auriemma stated this matter stays in Executive Session.

CONSENT AGENDA:

Mayor Auriemma read the following statement:

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

- *1. **APPROVAL OF MINUTES** of meeting of November 5, 2008

The approval of the minutes for October 20, 2008 were removed from the consent agenda and deferred to the next meeting since Mr. Gatti was not present.

- *2. **2008 Budget Appropriation Transfer** – resolution

The following Resolution was offered for consideration:

#R-2008-127

**TOWNSHIP OF READINGTON
2008
BUDGET APPROPRIATIONS TRANSFERS**

PURSUANT TO NJSA 40A:4-58, a municipality may make budget appropriation transfers during the last two months of the fiscal year,

WHEREAS, there appears to be insufficient funds in the following 2008 appropriation accounts to meet the demands thereon for the balance of the year, viz:

Current Fund:
Other Expenses:
Municipal Court
Legal Services
Snow Removal
Celebration of Public Events

WHEREAS, there appears to be a surplus in the following accounts, over and above the demand deemed necessary for the balance of the current year, viz:

Resolution #R-2008-127 cont'd:

Current Fund:	
Salaries and Wages	Other Expenses:
Municipal Court	Construction Code Official
Roads	Tax Assessor
	Surety Bond Premiums
	Recreation
	Fuel Oil

NOW THEREFORE BE IT RESOLVED, that in accordance with the provision of NJSA 40A:4-4-58 part of the surplus in the accounts heretofore mentioned be and same hereby transferred to the accounts mentioned as being insufficient, to meet the current demands; and,

BE IT RESOLVED, that the Chief Financial Officer is hereby authorized and directed to make the following 2008 appropriation transfers:

<u>NO.</u>	<u>CURRENT FUND:</u>	<u>FROM</u>	<u>TO</u>
	Inside Caps:		
	Salaries and Wages:		
107-100	Municipal Court	\$ 4,000.00	
301-100	Roads	\$ 26,000.00	
	Other Expenses:		
023-200	Construction Official	43,000.00	
104-200	Tax Assessor	10,000.00	
116-000	Surety Bond Premiums	6,500.00	
601-400	Recreation	13,000.00	
702-003	Fuel Oil	8,500.00	
106-200	Legal Services		\$ 60,000.00
107-200	Municipal Court		4,000.00
302-200	Snow Removal		43,000.00
602-200	Celebration of Public Events		<u>4,000.00</u>
	Totals	<u>\$111,000.00</u>	<u>\$111,000.00</u>

*3. **Resolution Authorizing Hunterdon County Cooperative Purchase** – rock salt

The following Resolution was offered for consideration:

#R- 2008-128

**TOWNSHIP OF READINGTON
 RESOLUTION**

WHEREAS, pursuant to N.J.S.A. 40A:11-10 *et seq.*, Readington Township authorized a joint agreement with the County of Hunterdon at the August 4, 2008 Township Committee meeting; and

WHEREAS, the Hunterdon County Board of Chosen Freeholders, in accordance with this agreement, has awarded the bid for rock salt to Atlantic Salt, Inc. at a price of \$67.80 per ton, not to exceed \$115,260; and

WHEREAS, pursuant to N.J.S.A. 5:34-5 the Governing Body is required to award this contract.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington does hereby award the contract for the purchase of rock salt for the 2008/2009 season (November 12, 2008 to November 11, 2009) to Atlantic Salt, Inc. at a price of \$ 67.80 per ton.

Resolution #R-2008-128 cont'd:

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the County of Hunterdon Purchasing Department.

- *4. **Greywall, Block 14, Lot 14.06** – release of escrow
- *5. **Christy, Ronald and Catherine, Block 48, Lot 10** – permit fee refund
- *6. **Firemen’s Membership Application** – Jonathan B. Mahler
- *7. **Payment of Bills**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND	8-01	\$ 637,686.21
SEWER APPROPRIATIONS	8-02	\$ 10,916.00
TRUST FUNDS	X-03	\$ 60,797.13
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 43,329.74
PAYROLL DEDUCTIONS	X-06	\$ 179,046.00
DUE TO STATE OF NJ	X-09	\$ 575.00
2006 CAPITAL ORDIN.	X-66	\$ 65.80
2008 CAPITAL ORDIN.	X-88	<u>\$ 81,440.90</u>
TOTAL OF ALL FUNDS		\$ 1,013,856.78

A **MOTION** was made by Mrs. Shamey to approve the consent agenda, subject to the removal of the minutes from the October 20, 2008 meeting, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

CORRESPONDENCE/OTHER INFORMATION:

1. Memorandum dated October 23, 2008 from Donna J. Burham, Township Clerk, Township of Clinton regarding ***an Ordinance Supplementing and Amending Chapter 165 Entitled “Land Use Regulations” (Amending Standards and the Schedule of Zoning Requirements) of the Code of the Township of Clinton, 2003, to Revise the Regulations Concerning Fences in the Township.*** No action taken.
2. Letter dated October 23, 2008 from Robert P. Koska, Director of Local Programs and Minibus Fleet Support of NJ Transit regarding ***available funding to the State of New Jersey for the purchase of equipment for transportation of senior citizens and people with disabilities under FTA Section 5310 Grant Program.*** No action taken.
3. Public Notice from Debora Padgett, Planning Board Clerk, the Township of Hillsborough Planning Board regarding ***Adoption of the 2008 Master Plan Reexamination Report.*** No action taken.
4. Memorandum dated November 7, 2008 from Denise B. Doolan, Clerk of the Board of Chosen Freeholders regarding ***Supporting Municipal Partners and Endorsing a Petition for a one-year extension for the submission of all Municipal Fair Share Plans.*** No action taken.
5. Memorandum dated November 7, 2008 from Denise B. Doolan, Clerk of the Board of Chosen Freeholders, regarding ***Supporting the Partnership for Mass Transit and Rail in Hunterdon and Somerset Counties.*** No action taken.

I. OLD BUSINESS:

1. None

J. NEW BUSINESS:

1. *Special Event* – request to hold Relay for Life – Hillcrest Park, June 19-20, 2009

A *MOTION* was made by Mr. Shamey to waive the fees for permits and allow the event to be held with the stipulation that the music volume is lowered and lights dimmed at 10:00 p.m., seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

2. *A Bond Ordinance Providing for the Acquisition of a Development Rights Easement on Block 22, Lot 6 (Owner: Jensen) in and by the Township of Readington, in the County of Hunterdon, New Jersey Appropriating \$475,000 therefor and Authorizing the Issuance of \$451,250 Bonds or Notes of the Township to Finance Part of the Cost thereof* - introduction

The following Ordinance was offered for consideration:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A DEVELOPMENT RIGHTS EASEMENT ON BLOCK 22, LOT 6 (OWNER: JENSEN) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$475,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$451,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

ORDINANCE # 34 - 2008

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 \$475,000, including the sum of \$23,750 as the down payment required by the Local Bond Law. The down payment is now available from the following funds: 1) \$14,000 is from the Open Space Trust Fund and 2) \$9,750 is from the Capital Improvement 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 \$451,250 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 a development rights easement on Block 22, Lot 6 (Owner: Jensen) 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

Ordinance #34-2008 cont'd:

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.

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 \$451,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$13,000 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.

Ordinance #34-2008 cont'd:

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 22, Lot 6, 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.

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

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

The Public Hearing was scheduled for 8:00 p.m. December 1, 2008.

3. **An Ordinance Appropriating \$125,000 from the Housing Trust Fund for the Acquisition of an Affordable Housing Unit on Block 34, Lot 36 in and by the Township of Readington, in the County of Hunterdon, New Jersey** – introduction

The following Ordinance was offered for consideration:

ORDINANCE APPROPRIATING \$125,000 FROM THE HOUSING TRUST FUND FOR THE ACQUISITION OF AN AFFORDABLE HOUSING UNIT ON BLOCK 34, LOT 36 IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE # 35 -2008

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 1. \$125,000 is hereby appropriated from the Housing Trust Fund for the acquisition of an Affordable Housing Unit located on 126 Buttercup Court, also known as Block 34, Lot 36 on the tax maps of the Township of Readington, in the County of Hunterdon, New Jersey (the "Township").

Section 2. 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.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

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

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

The Public Hearing was scheduled for 8:00 p.m. December 1, 2008.

*4. ***2008 Budget Appropriation Transfer*** – resolution

This item was addressed under consent agenda.

*5. ***Resolution Authorizing Hunterdon County Cooperative Purchase*** – rock salt

This item was addressed under consent agenda.

*6. ***Greywall, Block 14, Lot 14.06*** - release of escrow

This item was addressed under consent agenda.

*7. ***Christy, Ronald and Catherine, Block 48, Lot 10*** – permit fee refund

This item was addressed under consent agenda.

*8. ***Firemen's Membership Application*** – Jonathan B. Mahler

This item was addressed under consent agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz reminded the Committee that there is a joint meeting with the Planning Board regarding the Housing and Fair Share Plan on Monday, November 24th at 7:00 p.m.

Administrator Mekovetz reported that she had solicited quotes for appraisals on Block 94, Lot 6.02, 8 & 11 and Block 94, Lots 15.01, 17 & 19 and had moved forward to award the contract to Tom Rodriquez for a total award of \$4700 for both appraisals.

ATTORNEY'S REPORT

Attorney Dragan stated she had nothing further to report.

COMMITTEE REPORTS

Thomas Auriemma

Mayor Auriemma reported Readington Township Theater Group is hosting "The Homecoming" at Whitehouse School on December 5th and 6th at 7:00 p.m. and 7th at 2:00 p.m. and tickets are \$10.00.

Julia Allen

Mrs. Allen reported John Klotz has written a press release explaining Readington Township is seeking volunteers to help plan the future parks and recreation and leisure activity opportunities.

Mrs. Allen stated an Open Space walk took place on the Peter Buehl trail on Sunday.

Beatrice Muir

Mrs. Muir stated that she had nothing further to report.

Gerard Shamey

Mr. Shamey reported Round Mountain Trail System pamphlets were available to those interested in hiking.

COMMENTS FROM THE PUBLIC

Matt Hoe, a boy scout, stated he was attending a Township Committee meeting to earn his “Citizenship With The Community” merit badge.

COMMENTS FROM THE GOVERNING BODY

There were none.

As there was no further business, ***A MOTION*** was made by Mr. Gatti at 8:25 p.m. to adjourn the meeting, seconded by Mrs. Allen with a vote of all ayes, nays none recorded.

Respectfully Submitted:

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