

**READINGTON TOWNSHIP COMMITTEE
MEETING - DECEMBER 5, 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, Mrs. B. Muir and Mr. T. Auriemma

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 AA@

EXHIBIT A

<u>Subject Matter</u>	<u>Basis of Public Exclusion</u>	<u>Date Anticipated When Discussion Will Be Disclosed to Public</u>
Personnel Matters.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Police Department.....	Personnel.....	" " "
Municipal Court.....	Personnel.....	" " "
Awarding of Renovation to the Eversole- Hall House Bid.....	Contract Negotiations.....	" " "
Block 63, Lots 11, 12 & 13 (Accettola).....	Contract Negotiations.....	" " "
Block 72, Lot 10.02 (Pagano).....	Contract Negotiations.....	" " "
Block 80, Lots 1 & 2 (Readington Twp.).....	Contract Negotiations.....	" " "
Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters).....	Contract Negotiations.....	" " "
St. Hubert=s Giralda.....	Contract Negotiations.....	" "
Executive Session Minutes - November 9, 2005 & November 21, 2005.....	Attorney-Client Privilege.....	" " "
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8 & Block 67, Lot 2 (Solberg Aviation - Hromoho).....	Contract Negotiations.....	" " "

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 AA.@

EXECUTIVE SESSION RESOLUTION - continued:

3. This Resolution shall take effect immediately.

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

The meeting reconvened at 7:45 p.m.

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

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

Personnel - Personnel Matters

A ***MOTION*** was made by Mr. Shamey to amend Section 6.9 of the Township's *Personnel Policies, Practices and Regulations* manual to include language regarding e-mail and Internet usage, and Section 3.6 to clarify language regarding vacation. This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Personnel - Police Department

A ***MOTION*** was made by Mr. Shamey to promote William du Fossé and Joseph Greco to Corporal positions replacing James Hribik and James Izzo, both who will be retiring in the new year. This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Personnel - Municipal Court

Mayor Gatti said this item will be placed on the next agenda for Public Hearing.

Contract Negotiations - Awarding of Renovation to the Eversole Hall House Bid

Mayor Gatti said there was no action on this item.

Contract Negotiations - Block 63, Lots 11, 12 & 13 (Accettola)

Mayor Gatti said there was no action on this item.

Contract Negotiations - Block 72, Lot 10.02 (Pagano)

A ***MOTION*** was made by Mr. Shamey to approve the cost share agreement with Hunterdon County for Block 72, Lot 10.02 (Pagano). This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

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

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

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

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

A ***MOTION*** was made by Mr. Shamey to reaffirm the Committee's motion made at the November 9, 2005 to reject the bid received in the amount of \$781,000 for Block 80, Lots 1 & 2 (Readington Township). This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations - St. Hubert=s Giralda

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2005-136***

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:

X St. Hubert=s Giralda for Animal Control Services at an annual cost of \$19,068.00, and a service charge of \$100.00 for each call-out between the hours of 8:00 p.m. and 8:00 a.m.
2. Said contract shall expire on December 31, 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 Mr. Shamey to adopt this Resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Contract Negotiations - St. Hubert=s Giralda

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

Attorney-Client Privilege - Executive Session Minutes (Nov. 9, 2005 & Nov. 21, 2005)

A ***MOTION*** was made by Mrs. Allen to approve the Executive Session minutes of the meetings of November 9, 2005 and November 21, 2005 for content. This motion was seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

Contract Negotiations - Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8 and Block 67, Lot 2 (Solberg Aviation - Hromoho)

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 November 21, 2005.
2. Amendment to VALIC Deferred Compensation Plan pursuant to the Job Creation & Worker Assistance Act of 2002 - resolution.

***TOWNSHIP OF READINGTON
RESOLUTION FOR ADOPTING CHANGES TO AN EXISTING DEFERRED
COMPENSATION PLAN PURSUANT TO THE JOB CREATION AND WORKER
ASSISTANCE ACT OF 2002, INTERNAL REVENUE CODE SECTION 457
REGULATIONS (INCLUDING CERTAIN PROPOSED REVISIONS),
INTERNAL REVENUE SERVICE REVENUE PROCEDURE 2004-56 AND
INTERNAL REVENUE SERVICE REVENUE PROCEDURE 2004-12***

R-2005-141

WHEREAS, the Township of Readington (hereinafter referred to as the AEmployer@) by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the APlan@) effective June 28, 1993, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer by resolution retained The Variable Annuity Life Insurance Company (AVALIC@) as the contractor under the Deferred Compensation Plan and executed a Service Agreement with said contractor; and

WHEREAS, the Job Creation and Worker Assistance Act of 2002 amended Section 457 of the Internal Revenue Code (the ACode@); and

WHEREAS, the Internal Revenue Service (AIRS@) issued final Code Section 457 regulations on July 11, 2003 and proposed Code Section 415 regulations issued May 31, 2005 that modified the Code Section 457 regulations; and

WHEREAS, the IRS has issued model amendments (Revenue Procedure 2004-56) and guidance regarding rollover contributions to eligible retirement plans (Revenue Procedure 2004-12) that apply to Section 457 Plans; and

WHEREAS, the IRS has set a deadline of December 31, 2005 for State and local governmental Section 457(b) plan sponsors to adopt or amend their plans to conform with the Code, regulations, and interpretive guidance; and

WHEREAS, the Employer desires its Plan to conform with the changes in the Code, regulations, and interpretative guidance; and

CONSENT AGENDA – continued:

WHEREAS, the Employer desires to adopt an amended and restated Plan that conforms with the changes in the Code, regulations, and interpretative guidance; and

WHEREAS, such amended and restated Plan shall supersede the previously adopted Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Employer does hereby adopt the amended and restated Plan prepared by VALIC and assigned Plan Document identifier 55-PD-VALIC-110305 by the Director of the Division of Local Government Services; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

3. **Special Item of Revenue/Chapter 159** - resolution.
4. **Postponement of Mortgage** - 705 Well Sweep Road/Vergalito.
5. **Sanderson/Block 50, Lot 37.01** - request for release of unused escrow funds.
6. **Application for Membership in NJ Firemen=s Association** - Dennis B. Concannon.
7. **Application for Blue Light Permit** - Arpad Salopek.
8. **Payment of the Bills.**

Fund Description	Fund No.	Received Total
CURRENT FUND APPROPRIATION	001	\$ 1,416,389.50
TRUST APPROPRIATION	003	\$ 32,506.33
CAPITAL APPROPRIATIONS	004	\$ 20,185.48
MISC. REFUND, COUNTY TAX, LIENS	005	\$ 25,267.19
PAYROLL DEDUCTIONS	006	\$ 147,289.55
REGIONAL AND LOCAL SCHOOL TAX	007	\$ 2,261,257.62
 TOTAL OF ALL FUNDS:		 \$ 3,902,895.67

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

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

CORRESPONDENCE/OTHER INFORMATION:

1. Letter dated November 4, 2005 from Paul J. Sikoryak regarding **reforms to current rules for bidding and insurance requirements for hunting on Township properties.**

Mayor Gatti asked that this letter be forwarded to the Hunting Subcommittee for their review and comment.

2. Memorandum dated November 3, 2005 from Dinah Rowbotham, Assistant Program Administrator, Hunterdon County Agriculture Development Board, regarding **2007 Round of Planning Incentive Grant Applications**, noted for information. No action taken.

3. Letter dated November 15, 2005 from Kevin Scott Richardson, Program Administrator, Hunterdon County Open Space Trust Fund Program, regarding **Hunterdon County Municipal & Nonprofit Grant Programs Revised Policies & Procedures Manual.**

Application to the County of Hunterdon for Open Space Trust Funds – continued:

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2005-137**

WHEREAS, the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan established a Nonprofit Grants Program to provide Open Space Trust Funds to qualifying charitable conservancies for the acquisition of lands for public recreation, conservation and general open space purposes in Hunterdon County; and

WHEREAS, the Township Committee of the Township of Readington desires to further the public interest in Hunterdon County by obtaining Open Space Trust Funds in the amount of \$29,600.00 to fund the following acquisition project: Dismantling and storage of the Ann Reno barn; and

WHEREAS, this acquisition would require the commitment of \$44,400.00 as the Nonprofit Organization=s share of funds.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes Vita Mekovetz, Administrator/Municipal Clerk, to:

1. Make an application to the County of Hunterdon for Open Space Trust Funds;
2. Provide additional application information and furnish such documents as may be required for the Nonprofit Grants Program;
3. Act as the principal contact person, correspondent and authorized signatory of the above-named Nonprofit Organization.

BE IT FURTHER RESOLVED, if the County of Hunterdon determines that the application is complete and in conformance with the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan and the Policies and Procedures Manual for the Nonprofit Grants Program adopted thereto, the Nonprofit Organization agrees to use the approved Open Space Trust Funds in accordance with such adopted policies and procedures, and applicable State and local government rules, regulations and statutes thereto; and

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Readington commits and encumbers the amount of \$44,400.00 as its source(s) of funds and the balance amount necessary to complete the approved acquisition project.

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
Mrs. Muir	-	Nay
Mr. Shamey	-	Aye
Mayor Gatti	-	Aye

4. Notice dated November 21, 2005 from William G. Dressel, Jr., Executive Director, NJ State League of Municipalities regarding ***opposition to A-4073, which redefines the role and qualifications of purchasing agents in the ALocal Public Contracts Law,@*** , noted for information. No action taken.
5. Notice dated November 21, 2005 from Monica A. Gianchiglia, Board Administrator, Bedminster Twp. Planning Board, regarding ***Notice of Master Plan Public Hearing***, noted for information. No action taken.
6. Notice from Dorothy D. Wilkie, Municipal Clerk, Twp. of Bedminster, regarding ***adoption of Ordinance #05-37 - Supplementing & Amending Section 13-205 entitled AVN Village Neighborhood@ of Chapter XIII Entitled ALand Management@ of the revised General Ordinances of the Twp. of Bedminster***, noted for information. No

action taken.

CORRESPONDENCE/OTHER INFORMATION – continued:

7. Notice dated November 21, 2005 from Dorothy L. Gooditis, Municipal Clerk, Twp. of Raritan, regarding **Public Hearing of the proposed amendment to the Raritan Township Master Plan**, noted for information. No action taken.
8. Notice dated November 17, 2005 from Theresa A. Farbaniec, Municipal Clerk, Borough of Sayreville, regarding **adoption of a Resolution urging the NJ State Legislature to enact legislation that would amend the NJ Senior Property Tax Freeze Protection Act and effectively increase income eligibility limitations to the median regional income limits as established by the Council on Affordable Housing**, noted for information. No action taken.
9. Notice from Public Service Electric & Gas regarding **Filing and Public Hearings for proposed emergent relief in BGSS Commodity Charge for Residential Gas Customers**, noted for information. No action taken.

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.

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF DEVELOPMENT RIGHTS - BLOCK 98, LOT 2 (OWNER: PADOVANI) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$497,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$472,625 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Ordinance #31-2005

Mrs. Allen said this property consists of approximately 30 acres along Higginsville Road and is contiguous to the 250 acre Mason property. It was approved for funding in the Township=s PIG VIII 2005 A Round.

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.

Mr. Frank Renda asked if the total cost would be the \$497,500 plus the \$472,625 in bonds.

Administrator Mekovetz said that the \$497,500 is the amount of the appropriation, out of which the Township must put a 5% case down payment, so the second figure is 5% less than the first.

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

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF DEVELOPMENT RIGHTS - BLOCK 98, LOT 2 (OWNER: PADOVANI) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$497,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$472,625 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Ordinance #31-2005

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

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

Ordinance #32-2005

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:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A FEE SIMPLE INTEREST IN PROPERTY KNOWN AS BLOCK 73, LOT 27; BLOCK 74, LOTS 8 AND 9; BLOCK 79.01, LOTS 11.01, 11.02, 11.03, 11.04, 11.05, 11.06 AND BLOCK 79, LOT 4 TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION UNDER THE GREEN ACRES PROGRAM

Ordinance #32-2005

Mrs. Allen said this ordinance provides for the fee simple purchase of this property by the NJDEP. The property is approximately 144 acres and is located on Rockafellow Mills Road and River Avenue with frontage on the South Branch of the Raritan River.

Mrs. Allen said the property is presently owned by Fallon Developers and Readington is under contract to purchase the property and will then go under contract with the State of New Jersey to sell the property for the same amount as the purchase price.

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

Clerk read by Title:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A FEE SIMPLE INTEREST IN PROPERTY KNOWN AS BLOCK 73, LOT 27; BLOCK 74, LOTS 8 AND 9; BLOCK 79.01, LOTS 11.01, 11.02, 11.03, 11.04, 11.05, 11.06 AND BLOCK 79, LOT 4 TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION UNDER THE GREEN ACRES PROGRAM

Ordinance #32-2005

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

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

OLD BUSINESS:

1. ***Transportation Improvement District*** - update.

Engineer McEldowney updated the members of the Committee on the meetings of the Transportation Improvement District. He said it provides for a planning and funding source to meet the needs for future road improvements on the Route 523 corridor, extending between Route 22 in Readington Township and Route 517 in Tewksbury Township. It also provides for development projects to imposed with the obligation to pay their fair share of off-site improvements caused by their respective developments.

Engineer McEldowney said the County would like to have a consensus regarding this matter, although there is not an immediate need for the Committee to make any decisions this evening.

Transportation Improvement District update – continued:

Engineer McEldowney said a meeting is scheduled for Thursday, December 8th at which making a presentation will be made before the Hunterdon County Planning Board.

Mrs. Muir asked that Engineer McEldowney get a copy of the North Jersey Transportation Infrastructure Plan from the County Planning Board.

Shaun C. Van Doren, Deputy Mayor, Tewksbury Township, also appeared before the Committee regarding this matter. He said it is a multi-year project and for Tewksbury, the most imminent project they are facing is a traffic light at the intersection s of Route 517 and Route 523.

Engineer McEldowney said the last TID meeting was held on October 13th. There was another meeting scheduled in November that was canceled. He was told that the Committee did not need to make any decision until January.

NEW BUSINESS:

1. ***Diesel Dump Trucks with Central Hydraulic Systems & Associated Equipment*** - public hearing.

Attorney Dragan said there were two (2) bidders for this project. They both met all of the procedural requirements; however there was a question whether the lowest bidder (Hoover) was actually in substantive compliance with the bid.

Attorney Dragan said the bid package asked for a specific type of body, plow and hitch, or equivalent. After reviewing the bids that were submitted that Committee had questions as to whether all of the questions were answered by the lower bidder and whether theirs is an equivalent product.

Representatives from Condit Truck Center and Hoover appeared before the Committee regarding their respective bids.

Director of Public Works Scott Jesseman said that after careful review of the two (2) bids, he recommends that the bid be awarded to Condit Truck Center.

After a short discussion, ***A MOTION*** was made by Mrs. Allen to award the bid for two (2) Diesel Dump Trucks with Central Hydraulic Systems & Associated Equipment to Condit Truck Center in the amount of \$247,268. This motion was seconded by Mr. Shamey and on Roll Call vote the following was recorded:

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

4. ***Administrative Checklist Revisions.***

Mayor Gatti said this is a recommendation from the Planning Board.

Action on this item was deferred until it can be reviewed by Attorney Dragan.

5. ***Resolution concerning Readington=s Petition for Substantive Certification to the New Jersey Council on Affordable Housing for its Housing Element and Fair Share Plan.***

The following Resolution was offered for consideration:

A RESOLUTION CONCERNING THE TOWNSHIP OF READINGTON'S PETITION FOR SUBSTANTIVE CERTIFICATION TO THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING FOR ITS HOUSING ELEMENT AND FAIR SHARE PLAN

Resolution concerning Readington's Petition for Substantive Certification to the New Jersey Council on Affordable Housing for its Housing Element and Fair Share Plan – continued:

WHEREAS, the New Jersey Council on Affordable Housing ("COAH") is the State administrative agency vested with primary jurisdiction for the administration of affordable housing obligations in the State of New Jersey (*N.J.S.A. 52:27D-304(a)*); and

WHEREAS, COAH's Third Round Rules require a municipality to develop a Housing Element and Fair Share Plan which is adopted by the Planning Board and endorsed by the governing body prior to the filing of a petition for substantive certification (*N.J.A.C. 5:94-2.2(a)* and *N.J.A.C. 5:94-4.1(b)*); and

WHEREAS, the Township of Readington in Hunterdon County, New Jersey seeks to obtain substantive certification from COAH; and

WHEREAS, on November 28, 2005 the Planning Board of the Township of Readington adopted a new Housing Element and Fair Share Plan; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element and Fair Share Plan is attached hereto pursuant to *N.J.A.C. 5:95-2.2(a)2*.

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

1. The Township hereby endorses the Housing Element and Fair Share Plan as adopted by the Readington Township Planning Board.
2. Pursuant to the provisions of *N.J.S.A. 52:27D-301, et seq.* and *N.J.A.C. 5:95-3.2*, the Township submits this petition for substantive certification of its Housing Element and Fair Share Plan to the COAH for review and certification.
3. A list of names and addresses for all owners of sites identified in the Housing Element and Fair Share Plan for affordable housing development has been included with this petition.
4. Notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to *N.J.A.C. 5:95-3.5* within seven days of issuance of the notification letter from COAH's Executive Director indicating that the submission is complete and that a copy of this Resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the office of the Township Clerk in the Readington Township Municipal Building, 509 Route 523, Whitehouse Station, New Jersey, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, for a period of 45 days following the date of publication of the legal notice pursuant to *N.J.A.C. 5:95-3.5*.

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

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

6. ***Resolution of Governing Body of Intent to Bond for Shortfall.***

The following Resolution was offered for consideration:

RESOLUTION OF GOVERNING BODY OF INTENT TO BOND FOR SHORTFALL

#R-2005-139

WHEREAS, Readington Township, Hunterdon County, has petitioned the New Jersey

Resolution of Governing Body of Intent to Bond for Shortfall – continued:

Council on Affordable Housing (COAH) for substantive certification of its adopted Third Round housing element and fair share plan; and

WHEREAS, COAH has determined that Readington Township must allocate funds for the alternative living arrangements, the buy-down/purchase assistance program, the rental acquisition program and for regional contribution agreements (RCAs); and

WHEREAS, Readington Township anticipates that funding will come from sources including the Township's affordable housing trust fund – development fees - to satisfy said RCA obligation; and

WHEREAS, Readington Township anticipates that funding will come from the following sources to satisfy said obligation for alternative living arrangements, the buy-down/purchase assistance program and the rental acquisition program: sources including, but not limited to, the Township's affordable housing trust fund - development fees and in-lieu growth share payments; and governmental sources such as New Jersey Balanced Housing funds, Federal Home Loan Bank Board financing, HMFA bond financing, Hunterdon County Home funds, etc.; and

WHEREAS, in the event that the above funding sources prove inadequate to meet Readington Township's funding obligation, Readington Township shall provide sufficient funding to address any shortfalls.

NOW THEREFORE BE IT RESOLVED by the governing body of Readington Township, Hunterdon County, State of New Jersey, that the governing body does hereby agree to fund any shortfalls in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason; and

BE IT FURTHER RESOLVED that said shortfall shall be funded by bonding if there are no other resources.

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

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

7. ***Resolution authorizing the execution of a Regional Contribution Agreement between the Township of Readington and the City of Perth Amboy.***

The following Resolution was offered for consideration:

A RESOLUTION AUTHORIZING THE EXECUTION OF A REGIONAL CONTRIBUTION AGREEMENT BETWEEN THE TOWNSHIP OF READINGTON AND THE CITY OF PERTH AMBOY

#R-2005-140

WHEREAS, the Township of Readington has a fair share obligation to provide housing opportunities to households of low and moderate income as established by the New Jersey Supreme Court and by the New Jersey Fair Housing Act, *N.J.S.A. 52:27d-301, et seq.*; and

WHEREAS, the Fair Housing Act provides that municipalities within the same region, as defined by the New Jersey Council on Affordable Housing (COAH), may meet up to 50 percent of that obligation through a regional contribution agreement (RCA), under which the sending municipality makes a cash payment to another municipality, known as the receiving municipality, which undertakes to provide low and moderate income housing which is credited toward the sending municipality's fair share obligation; and

Resolution authorizing the execution of a Regional Contribution Agreement between the Township of Readington and the City of Perth Amboy – continued:

WHEREAS, the Township of Readington proposes to transfer 76 units of its fair share obligation at a cost of \$35,000 per unit for payments totaling \$2,660,000 in the form of an RCA as the sending municipality with the City of Perth Amboy, the receiving municipality; and

WHEREAS, the Township of Readington and the City of Perth Amboy are in the same region (Region #3 – Hunterdon, Middlesex and Somerset Counties) as defined by COAH; and

WHEREAS, the City of Perth Amboy desires to provide affordable housing for low and moderate income residents of the region, which action will be furthered by funds made available through the RCA; and

WHEREAS, the RCA is in the best interests of the Township of Readington in helping the Township satisfy its fair share affordable housing obligation.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington, that the Mayor and Clerk of the Township of Readington are hereby authorized to execute such documents and exhibits and to undertake or direct any and all such acts as may be necessary to effectuate an RCA between the Township of Readington and the City of Perth Amboy.

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

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

8. ***Amendment to Valic Deferred Compensation Plan pursuant to the Job Creation & Worker Assistance Act of 2002*** - resolution.

This item was addressed under the Consent Agenda.

9. ***Special Item of Revenue/Chapter 159*** - resolution.

This item was addressed under the Consent Agenda.

10. ***Postponement of Mortgage*** - 705 Well Sweep Road/Vergalito.

This item was addressed under the Consent Agenda.

11. ***Sanderson/Block 50, Lot 37.01*** - request for release of unused escrow funds.

This item was addressed under the Consent Agenda.

12. ***Application for Membership in NJ Firemen=s Association*** - David A. Gilliam.

This item was addressed under the Consent Agenda.

13. ***Application for Membership in NJ Firemen=s Association*** - Dennis B. Concannon.

This item was addressed under the Consent Agenda.

14. ***Application for Blue Light Permit*** - Arpad Salopek.

This item was addressed under the Consent Agenda.

ADMINISTRATOR=S REPORT:

Written report submitted.

ADMINISTRATOR=S REPORT – continued:

Administrator Mekovetz asked the Committee when they would like to schedule the 2006 Reorganization meeting.

After a short discussion, all agreed that the 2006 Reorganization meeting should be scheduled for Tuesday, January 3, 2006.

Administrator Mekovetz said the dedication of the new clock at the Readington Library is scheduled for December 19th between 5:00 and 5:30 p.m.

Administrator Mekovetz said the Township received a new bond rating which remained at AA2.

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

ATTORNEY=S REPORT:

Written report submitted.

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

ENGINEER=S REPORT:

Written report submitted.

Engineer McEldowney said he had nothing further to report at this time.

COMMITTEE REPORTS:

1. Frank Gatti:

a. Finance Department

1. *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 next monthly meeting of the Volunteer Emergency Services is scheduled for December 13th at which time they will be discussing budget issues.

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 meeting of the Open Space Advisory Board is scheduled for December 21st.

Mrs. Allen said the next open space walk is scheduled for December 18th.

Mrs. Allen said a tree lighting ceremony has been scheduled for Friday, December 16th. A resident has donated a tree to the Township in memory of her late husband.

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.

COMMITTEE REPORTS – continued:

5. Beatrice Muir:

Mrs. Muir said she had nothing to report at this time.

COMMENTS FROM THE PUBLIC:

Mayor Gatti asked for comments from the public.

Attorney Douglas Cole appeared before the Committee on behalf of Ms. Sharon Gonen, who was the highest bidder for the auction of Block 80, Lots 1 and 2.

Mr. Cole asked how Ms. Gonen would go about receiving reimbursement for her bid deposit, down payment and perc test fees.

A ***MOTION*** was made by Mrs. Allen to refund the bid deposit, down payment and perc test fees to Sharon Gonen. This motion was seconded by Mr. Shamey and on Roll Call vote the following was recorded:

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

Mr. Cole said he would like to express a level of disappointment that the contract was ultimately Rejected. He said it is not only a loss to Ms. Gonen and her family, but also a loss to the Township.

Ms. Sharon Gonen referred to the contingencies that were requested of her and asked why the terms included in the initial agreement prior to the auction.

Mrs. Muir said in the agreement there is a statement that allows the Township to do what they did.

Mr. Frank Renda asked that the Committee look into changing the manner in which the amount of money the Township must pay to Hunterdon Central is determined.

Mr. Shamey said he would meet with Mr. Renda to discuss this matter further.

Mr. Ted Peters said in order to change the formula, the other sending districts must agree.

Ms. Stephanie Moore referred to the open space surrounding her property and distributed maps illustrating the location. She said that she has leased her property to a hunting club for three (3) years. While she was putting out corn for the hunters on Saturday, there was a gentleman in the back field playing Frisbee with two (2) dogs. When she approached the gentleman to tell him he was on private property he told her it was his tax dollars. She said that people often mistake her property for open space. The property is not marked from the back of the houses where the open space begins.

Ms. Moore called the police. When they responded she showed them where her private property is clearly marked. Ms. Moore said there is also someone who is hunting on the open space on Block 66, Lot 25.12. When Ms. Moore approached this person she was told they were given permission by three (3) police officers to hunt in that open space.

Mayor Gatti asked that Administrator Mekovetz contact the Police Chief regarding this matter.

Mr. Shamey said that we have to enforce the “No Hunting” regulations and in order to do so, we must make sure that it is posted in a better way and that the Police Department is made aware of the situation.

COMMENTS FROM THE PUBLIC – continued:

Mrs. Allen suggested that Director of Public Works Scott Jesseman be asked to go out to the site and make sure it is properly signed.

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 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8 & Block 67, Lot 2 (Solberg Aviation - Hromoho).....	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential

A ***MOTION*** was made at 10:40 p.m. by Mr. Shamey to adopt this Resolution, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

The meeting reconvened at 11:15 p.m.

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

***Contract Negotiations - Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8
and Block 67, Lot 2 (Solberg Aviation - Hromoho)***

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

ADJOURNMENT

As there was no further business, a motion was made by Mr. Shamey at 11:20 p.m., seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC
Administrator\Municipal Clerk