

**READINGTON TOWNSHIP COMMITTEE
MEETING – JANUARY 16, 2007**

Mayor Shamey *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 G. Shamey, Mrs. J. Allen, Mr. F. Gatti and Mrs. B. Muir

ABSENT: Deputy Mayor T. Auriemma

ALSO PRESENT: Administrator Mekovetz, Attorney Dragan and Engineer McEldowney

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

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

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

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

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

EXHIBIT A

<u>Subject Matter</u>	<u>Basis of Public Exclusion</u>	<u>Date Anticipated When Discussion Will Be Disclosed to Public</u>
Local 469 - White Collar Contract	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Block 63, Lot 13 (Accettola).....	Contract Negotiations.....	" " "
Block 69, Lot 12 (American Classics, LLC – Developer’s Agt.).....	Contract Negotiations.....	" " "
Block 65, Lots 12 & 12.01 (Little).....	Contract Negotiations.....	" " "
Professional Services	Contract Negotiations.....	" " "
Lamington Hospitality, LLC.	Litigation.....	" " "
Waste Management v. Readington Twp.	Litigation.....	" " "
Wilmark Building Contractors, Inc. vs. Township of Readington Board of Adjustment, Township of Readington, John Doe and Mary Roe.....	Litigation.....	" " "
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8, Block 39, Lot 24 & Block 67, Lot 2 (Solberg Aviation - Hromoho).....	Litigation.....	" " "

2. It is anticipated at this time that the stated subject matter will be made public on or about the time set forth in Exhibit “A.”
3. This Resolution shall take effect immediately.

EXECUTIVE SESSION RESOLUTION – continued:

A ***MOTION*** was made at 6:30 p.m. by Mrs. Muir 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 Shamey led those present in the *Salute to the Flag*.

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

Personnel - Personnel Matters

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

Contract Negotiations - Local 469 - White Collar Contract

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

Contract Negotiations - Block 63, Lot 13 (Accettola)

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2007-14***

WHEREAS, the State Agriculture Development Committee (SADC) certified the Fair Market Value (FMV) of \$14,000 per acre for the development easement on the Accettola (Block 63, Lot 13 - 64+/- acres) farm, which is contained in Readington Township's 2000B Round Planning Incentive Grant II list of farms; and

WHEREAS, the SADC approved the ten (10) year allocation of \$3,181,464 to be appropriated from the Garden State Preservation Trust, Farmland Preservation Fund, for Readington Township's Planning Incentive Grant I application, conditioned upon Garden State Preservation Trust, legislative and gubernatorial appropriation; and

WHEREAS, based on Readington Township's application, the County of Hunterdon will provide a cost share for the purchase of the development easements, holding title to the development easements.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey:

1. Approves the purchase of the development easement on Block 63, Lot 13 (Accettola).
2. Commits to funding of the purchase of the development easement on Block 63, Lot 13 (Accettola).
3. Authorizes funding pursuant to the Township's ten (10) year funding plan.

BE IT FURTHER RESOLVED, that the Municipal Clerk is directed to forward certified copies of this Resolution to the County Agricultural Development Board and the State Agricultural Development Committee as requested and required.

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

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

Contract Negotiations - Block 69, Lot 12 (American Classics, LLC - Developer's Agt.)

A **MOTION** was made by Mr. Gatti to approve the Developer's Agreement for Block 69, Lot 12 (American Classics, LLC) seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations - Block 65, Lots 12 & 12.01 (Little)

A **MOTION** was made by Mrs. Allen to approve the contract, as amended, for Block 65, Lots 12 & 12.01 (Little). This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations - Professional Services

AEIS - Inspection of Lake Cushetunk Dam

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR INSPECTION SERVICES FOR THE LAKE CUSHETUNK DAM
#R-2007-30***

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:
 - AEIS (Advanced Engineering & Inspection Services) for inspection services for the Lake Cushetunk Dam at a cost of \$7,300.00.
2. Said contract shall expire on December 31, 2007.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
4. This Resolution shall take effect immediately.

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

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

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
TOWNSHIP ATTORNEY SERVICES
#R-2007-14**

WHEREAS, the Township of Readington has a need to acquire Township Attorney Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Sharon A. Dragan, Esq. has submitted a proposal indicating she will act as Township Attorney at an annual rate of \$81,972.00.

WHEREAS, Sharon A. Dragan, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Sharon A. Dragan, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Sharon A. Dragan, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Sharon A. Dragan, Esq. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

Suplee, Clooney & Company - Municipal Auditor Services

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
MUNICIPAL AUDITOR SERVICES
#R-2007-15**

WHEREAS, the Township of Readington has a need to acquire Municipal Auditing Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

Suplee, Clooney & Company - Municipal Auditor Services – continued:

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Suplee, Clooney & Company has submitted a proposal indicating they will provide Professional Planning and Landscape Architectural Services at an annual rate not to exceed \$36,250.00; and

WHEREAS, Suplee, Clooney & Company has completed and submitted a Business Entity Disclosure Certification which certifies that Suplee, Clooney & Company has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Suplee, Clooney & Company from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Suplee, Clooney & Company as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

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

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

Mrs. Allen	-	Aye
Mr. Gatti	-	Aye
Mrs. Muir	-	Aye
Mayor Shamey	-	Aye0

McManimon & Scotland – Bond Attorneys

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
BOND ATTORNEY SERVICES
#R-2007-16***

WHEREAS, the Township of Readington has a need to acquire Bond Attorney Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

McManimon & Scotland – Bond Attorneys – continued:

WHEREAS, McManimon & Scotland, L.L.C. has submitted a proposal indicating they will provide Bond Attorney Services for rates as detailed in the contract; and

WHEREAS, McManimon & Scotland, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that McManimon & Scotland, L.L.C. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit McManimon & Scotland, L.L.C. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with McManimon & Scotland, L.L.C. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

Martin Allen, Esq. – Tax Attorney

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
TAX ATTORNEY/BANKRUPTCY SERVICES
#R-2007-17**

WHEREAS, the Township of Readington has a need to acquire Tax Attorney/Bankruptcy Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Martin Allen, Esq. has submitted a proposal indicating he will provide Tax Attorney/Bankruptcy Services at a rate of \$130 per hour; and

WHEREAS, Martin Allen, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Martin Allen, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Martin Allen, Esq. from making any reportable contributions through the term of the contract; and

Martin Allen, Esq. – Tax Attorney – continued:

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Martin Allen, Esq. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

Fisher & Phillips, LLP – Labor Attorney

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LABOR COUNSEL SERVICES
#R-2007-18**

WHEREAS, the Township of Readington has a need to acquire Labor Counsel Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Fisher & Phillips, LLP has submitted a proposal indicating they will provide Labor Counsel Services for rates as follows:

- Partner-Level Attorney - \$275 per hour.
- Senior Associate - \$220 per hour.
- Junior Associate - \$185 per hour.

WHEREAS, Fisher & Phillips, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Fisher & Phillips, LLP has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Fisher & Phillips, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Fisher & Phillips, LLP as described herein; and

Fisher & Phillips, LLP – Labor Attorney – continued:

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

Hatch, Mott, MacDonald – Expert Services

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL PLANNING EXPERTS
#R-2007-19***

WHEREAS, the Township of Readington has a need to acquire Professional Planning Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Hatch, Mott and MacDonald has submitted a proposal indicating they will provide Expert Services at rates as detailed in the contract for the following actions:

Toll Brothers, Inc. vs. the Township of Readington, *et al.*
Docket No. SOM-L-618-04 (formerly HNT-L-495-02)

Mark Hartman and Wilmark Building Contractors, Inc. v. Township of Readington - Docket No. 02-2017 (MLC)

Lackland and Lackland v. Township of Readington, *et als.*
Docket No. 3:02-5597 (GEB)

WHEREAS, Hatch, Mott and MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch, Mott and MacDonald has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Hatch, Mott and MacDonald from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Hatch, Mott and MacDonald as described herein; and

Hatch, Mott, MacDonald – Expert Services – continued:

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract, including the rate schedule, are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

Princeton Hydro, LLC – General Environmental Consulting

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
GENERAL ENVIRONMENTAL CONSULTING SERVICES
#R-2007-20**

WHEREAS, the Township of Readington has a need to acquire General Environmental Consulting Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A.* 19:44a-20.5; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A.* 19:44A-20.5 *et seq.* or in *N.J.S.A.* 19:44a-8, *et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Princeton Hydro, LLC. has submitted a proposal indicating they will provide General Environmental Consulting Services for rates as detailed in the contract; and

WHEREAS, Princeton Hydro, LLC. has completed and submitted a Business Entity Disclosure Certification which certifies that Princeton Hydro, LLC. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Princeton Hydro, LLC. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C.* 5:30-5.4).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Princeton Hydro, LLC. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

Princeton Hydro, LLC – General Environmental Consulting – continued:

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

Clarke♦Caton♦Hintz – Professional Planning & Landscape Architectural Services

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL PLANNING AND LANDSCAPE ARCHITECTURAL SERVICES
#R-2007-21***

WHEREAS, the Township of Readington has a need to acquire Professional Planning and Landscape Architectural Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Clarke♦Caton♦Hintz has submitted a proposal indicating they will provide Professional Planning and Landscape Architectural Services for rates as detailed in the contract; and

WHEREAS, Clarke♦Caton♦Hintz has completed and submitted a Business Entity Disclosure Certification which certifies that Clarke♦Caton♦Hintz has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Clarke♦Caton♦Hintz from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Clarke♦Caton♦Hintz as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

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

Clarke ♦Caton ♦Hintz – Professional Planning & Landscape Architectural Services – continued:

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

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

JWS Computers – Computer Maintenance

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL COMPUTER AND PRINTER MAINTENANCE SERVICES
#R-2007-22***

WHEREAS, the Township of Readington has a need to acquire Professional Computer and Printer Maintenance Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, JWS Computers has submitted a proposal indicating they will provide Professional Computer and Printer Maintenance Services at a rate of \$850 per month; and

WHEREAS, JWS Computers has completed and submitted a Business Entity Disclosure Certification which certifies that JWS Computers has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit JWS Computers from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with JWS Computers as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

Key-Tech – Construction Inspection & Materials Services

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
CONSTRUCTION INSPECTION & MATERIALS SERVICES
R-2007-23**

WHEREAS, the Township of Readington has a need to acquire Professional Planning and Landscape Architectural Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Key-Tech has submitted a proposal indicating they will provide Construction Inspection & Materials Services for rates as detailed in the contract; and

WHEREAS, Key-Tech has completed and submitted a Business Entity Disclosure Certification which certifies that Key-Tech has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Key-Tech from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Key-Tech as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

Mason, Griffin & Pierson

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL
LEGAL SERVICES TO BE PERFORMED ON A ROUTINE BASIS IN CONNECTION
WITH RECORDS REQUESTS MADE UNDER THE OPEN PUBLIC RECORDS ACT
(N.J.S.A. 47:1A-1 ET SEQ.)
#R-2007-24**

Mason, Griffin & Pierson – continued:

WHEREAS, the Township of Readington has a need to acquire Professional Legal Services to be performed on a routine basis in connection with records requests made under the Open Public Records Act (*N.J.S.A. 47:1A-1 et seq.*) as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Mason, Griffin & Pierson, PC has submitted a proposal indicating they will provide Professional Legal Services to be performed on a routine basis in connection with records requests made under the Open Public Records Act (*N.J.S.A.47:1A-1 et seq.*) and matters related thereto, including hearings and litigation, at a rate of \$175 per hour for Attorneys and \$85 per hour for Paralegals; and

WHEREAS, Mason, Griffin & Pierson, PC has completed and submitted a Business Entity Disclosure Certification which certifies that Mason, Griffin & Pierson, PC has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Mason, Griffin & Pierson, PC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Mason, Griffin & Pierson, PC as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

Gebhardt & Kiefer, PC

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
SPECIAL COUNSEL SERVICES
#R-2007-25**

WHEREAS, the Township of Readington has a need to acquire Special Counsel Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

Gebhardt & Kiefer, PC – continued:

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC has submitted a proposal indicating he will act as Special Counsel at the rate of \$200 per hour, billable monthly, for the following:

- to represent the Township in certain litigation entitled Liberty Hill Realty, Inc. and Renay Salamon v. Township of Readington, *et al*, and any other litigation as requested.

WHEREAS, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC has completed and submitted a Business Entity Disclosure Certification which certifies that Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
SPECIAL COUNSEL SERVICES
#R-2007-26**

WHEREAS, the Township of Readington has a need to acquire Special Counsel Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

Gebhardt & Kiefer, PC – continued:

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC has submitted a proposal indicating he will act as Special Counsel at the rate of \$200 per hour, billable monthly, for the following:

- to represent the Township in certain litigation entitled Devine *et al* v. Mayor and Township Committee of Readington, and any other litigation as requested.

WHEREAS, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC has completed and submitted a Business Entity Disclosure Certification which certifies that Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

Litigation - Lamington Hospitality, LLC.

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

Litigation - Waste Management v. Readington Township

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

Litigation - Wilmark Building Contractors, Inc. vs. Township of Readington Board of Adjustment, Township of Readington, John Doe and Mary Roe

Mayor Shamey said that no action was taken on this matter.

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)

The following Resolution was offered for consideration:

Thatcher Professional Planning & Consulting, Inc. – continued:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL PLANNING SERVICES
#R-2007-28**

WHEREAS, the Township of Readington has a need to acquire Professional Planning Services in connection with zoning issues as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Thatcher Professional Planning & Consulting, Inc. has submitted a proposal indicating they will provide Professional Planning Services in connection with zoning issues at a rate of \$150 per hour, plus costs; and

WHEREAS, Thatcher Professional Planning & Consulting, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Thatcher Professional Planning & Consulting, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Thatcher Professional Planning & Consulting, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Thatcher Professional Planning & Consulting, Inc. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2007; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

APPROVAL OF THE MINUTES of meetings of December 18, 2006, December 28, 2006 & January 2, 2007.

A **MOTION** was made by Mrs. Muir to approve the minutes of the meetings of December 18, 2006 and January 2, 2007. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

APPROVAL OF THE MINUTES – continued:

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

A **MOTION** was made by Mrs. Muir to approve the minutes of the meetings of December 28, 2006, as corrected. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

CONSENT AGENDA:

1. **Green Brook Racing, LLC** - request for permission to hold a sprint and Olympic distance triathlon on Sunday, September 9, 2007.
2. **Vacation Carryover** - Resolution.

**TOWNSHIP OF READINGTON
RESOLUTION
R-2007-27**

WHEREAS, the following employees have requested carry-over of the vacation time noted:

NAME	HOURS
Andrews	35
Barczek	24
Benecchi	88.5
Brown	2
Carro	21
Campbell	16
Clapp	79
Crater	36
Dewire	66
Donaruma	80
duFosse	12
Ferriero	60
Fleming	14
Gooley	70
Grear	7.50
Hall	12
Heycock	36
Holborow	2
Hollander	32
Hoofatt	82
Housel	21
Hudecek	32
Jacukowicz	24.5
Kennedy	31
Kenney	41.5
Konn	35
Kovonuk	42
Kulick	21
Liddane	19.5
Mailler	28
Marcine	50
Mastro	60.5
Mayer	24

McConnell	18.5
Mekovetz	56
Mitchell	11
Paganessi	7.5
Przewozny	24
Riva	18
Slutter	2.5
Stoveken	17
Vurickio	24.5
Warner	24
Wester	48

3. **Jacobs/Block 38, Lot 81** - request for release of unused Board of Health escrow funds.
4. **Application for Social Affair Permit** – Friends of the Shelter.
5. **Application for Membership in NJ Firemen’s Association** – Jacob Chavarria.
6. **Application for Membership in NJ Firemen’s Association** – Paul D. Hutchins.
7. **Application for Blue Light Permit** – Henry R. Lee.
8. **Application for Blue Light Permit** – Joe Bishop.
9. **Application for Blue Light Permit** – Ron Anastasi.
10. **Application for Blue Light Permit** – Brian J. Apgar.
11. **Payment of the Bills.**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND APPROPRIATION	001	\$ 722,925.96
SEWER APPROPRIATION	002	\$ 101,759.59
TRUST APPROPRIATION	003	\$ 12,200.19
CAPITAL APPROPRIATIONS	004	\$ 766,109.00
MISC REFUND, COUNTY TAX, LIENS	005	\$ 19,601.39
PAYROLL DEDUCTIONS	006	\$ 35,972.54
REGIONAL AND LOCAL SCHOOL TAX	007	\$ 5,261,431.92
DUE TO STATE OF NEW JERSEY	009	\$ 550.00
 TOTAL OF ALL FUNDS:		 \$ 6,920,550.59

12. **Municipal Court & Violations Bureau Report** for December, 2006.

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

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

CORRESPONDENCE/OTHER INFORMATION:

1. Notice dated December 21, 2006 from William G. Dressel, Jr., Executive Director, NJ State League of Municipalities regarding **opposition to A-3857 – Regional Contribution Agreements.**

The following Resolution was offered for consideration:

**RESOLUTION OF THE TOWNSHIP OF READINGTON OPPOSING A-3857 AND S-2451 and S-2451 WHICH, IF ENACTED, WOULD ELIMINATE RCA’S AS A TOOL TO FACILITATE MUNICIPAL COMPLIANCE WITH MOUNT LAUREL
 #R-2007-29**

Resolution in opposition to A-3857 – Regional Contribution Agreements – continued:

WHEREAS, in the landmark 1975 decision commonly referred to as Mount Laurel I, the Supreme Court not only required developing municipalities to satisfy their fair shares, but also clearly implied that they could do so at least in part if a municipality could enter a “binding agreement” with another municipality (see Mount Laurel I at 189); and

WHEREAS, in Mount Laurel II, another landmark decision issued in 1983, the Supreme Court referenced with approval the principle embodied in Mount Laurel I that a municipality could satisfy a portion of its fair share if it could enter into a binding agreement with another municipality (see Mount Laurel II at 237-238); and

WHEREAS, in 1985, in the light of the landmark decisions referenced above, the Legislature enacted the Fair Housing Act, *N.J.S.A. 52:27D-301 et seq.*, in which it specifically authorized a municipality to enter into a “binding agreement” with another municipality to create or rehabilitate deteriorated housing in the so called “receiving community”; and

WHEREAS, more specifically, *N.J.S.A. 52:27D-312* expressly authorizes a “sending municipality” to satisfy up to 50 percent of its fair share by funding an agreement with a “receiving municipality”, and

WHEREAS, *N.J.S.A. 52:27D-312* includes a series of safeguards to ensure that regional contribution agreements create a realistic opportunity for the creation of new or rehabilitated affordable housing within the receiving municipalities; and

WHEREAS, the creation of the right of a municipality to satisfy a portion of its responsibilities via RCA’s fueled a firestorm of litigation with developers and nonprofits vigorously attacking RCA’s and with sending and receiving municipalities vigorously defending this affordable housing technique; and

WHEREAS, a Mount Laurel trial judge upheld the constitutionality of RCAs in a case entitled Morris County Fair Housing Council v. Boonton Tp. 209 N.J. Super. 393, 431-32 (Law Div, October 1985) and the Supreme Court upheld the constitutionality of RCA’s in Mount Laurel III, 103 N.J. 1 at 47 n. 13; and

WHEREAS, RCA’s have proven to be an enormously useful and beneficial compliance technique to both sending and receiving municipalities and have also provided the an enormous benefit to those in need of affordable housing; and

WHEREAS, sending municipalities have committed to provide \$210,311,820 to fund the creation of 10,256 new or rehabilitated affordable units just in the RCA’s COAH has approved to date (see COAH RCA Analysis at <http://www.state.nj.us/dca/coah/rcas.xls>); and

WHEREAS, in addition, many municipalities have included RCA’s as an essential component of the affordable housing plans they have adopted, filed and sought approval of in response to their obligations under COAH’s cycle III regulations; and

WHEREAS, receiving municipalities have realized an enormous much need benefit as a result of the many millions of dollars paid or owed pursuant to RCA’s COAH has already approved—benefits which are likely to increase dramatically as COAH approves the many RCA’s “in the pipeline” in the hundreds of Cycle III plans awaiting Court or COAH approval; and

WHEREAS, sending municipalities have also benefited from RCA’s in that this technique has facilitated the ability of sending municipalities to meet the enormous burden created by the substantial fair share responsibilities COAH has imposed in each of the three housing cycles; and

WHEREAS, many thousands of low and moderate households have also benefited from RCAs as a result of deteriorated housing being rehabilitated or new affordable housing being created—benefits that will grow dramatically as COAH approves new RCA’s in cycle III plans and as monies are transferred pursuant thereto; and

Resolution in opposition to A-3857 – Regional Contribution Agreements – continued:

WHEREAS, notwithstanding the benefit of RCA's, A-3857 AND S-2451, which was introduced on December 14th, 2006 seeks to eliminate RCA's as a technique by which sending municipalities can satisfy their affordable housing responsibilities and by which receiving communities can realize the benefit of the many RCA's that are essential components of many of the hundreds of municipalities that have adopted affordable housing plans and sought approval of same; and

WHEREAS, this bill, if enacted would radically undermine the affordable housing plans of numerous municipalities that have, at great effort and expense, adopted, filed and sought approval of their affordable housing plans from COAH or a court and which include RCA's as an essential component of the municipal strategy for compliance; and

WHEREAS, such an undermining of affordable housing plans would benefit developers who would seek to exploit the shortfalls that would result, but would not benefit municipalities or the those in need of affordable housing who stand to benefit from approved plans and these agreements; and

WHEREAS, eliminating RCA's would also undermine a policy clearly embodied in COAH's Cycle III regulations: namely, that municipalities often find that it is preferable to create affordable housing by taking existing housing and making it affordable instead of having to zone for the flood of new housing that so typified affordable housing plans in the first and second housing cycles; and

WHEREAS, for the reasons set forth above and other reasons, it is not in the interest of the State, the region or our communities A-3857 AND S-2451 be enacted.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Readington Township declares that A-3857 AND S-2451 is not in the best interest of our State, our region, our community or lower income persons.
2. Readington Township vigorously opposes A-3857 AND S-2451.
3. The Clerk is hereby directed to submit copies this Resolution to Senator Leonard Lance and Assemblyman to inform the Senator and Assemblyman Michael Doherty and Assemblywoman Marcia Karrow of our strong views on this bill and to urge them to oppose it and to the New Jersey State League of Municipalities.

A MOTION was made by Mrs. Allen to adopt this Resolution, seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

2. Notice dated January 3, 2007 from William G. Dressel, Jr., Executive Director, NJ League of Municipalities regarding ***opposition to A-2 which would establish an independent Office of the State Comptroller & opposition to the new property tax levy cap***, noted for information. No action taken.
3. Notice from Drinker, Biddle & Reath, LLP regarding ***Public Hearing before the Twp. of Bedminster Planning Board - Lobell North, LLC, Block 44, Lots 2.01 & 2.01, Bedminster Township***, noted for information. No action taken.
4. Notice dated December 14, 2006 from Donna J. Burham, Acting Municipal Clerk, Twp. of Clinton, regarding ***adoption of the following:***

Ordinance #917-06 Correcting the Zoning Map to make it consistent with the Clinton Township Master Plan.

Ordinance #918-06 Supplementing & Amending Article XXII, "AH-3 Affordable Housing," of Chapter 165 entitled "Land Use Regulations," (Increasing the Affordable Housing Development Fees for Residential Projects).

The above-noted items were noted for information. No action taken.

CORRESPONDENCE/OTHER INFORMATION – continued:

5. Letter dated January 5, 2007 from C. Larry Tatsch, Mayor, Twp. of East Amwell, regarding *Farm Laborer Quarters*.

Mrs. Muir said this letter is in reference to Farm Laborer Quarters. East Amwell's position is that these quarters should not trigger a growth share obligation.

A MOTION was made by Mrs. Muir to send a letter to East Amwell Township and to our legislative representatives supporting East Amwell's position on this issue and stating that COAH should work with the DCA on this matter. This motion was seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

6. Letter dated December 15, 2006 from Robert P. Koska, Director, New Jersey Transit, regarding *2073 FTA Section 5310 Grant Notification*, noted for information. No action taken.
7. Notice dated December 12, 2006 from Sandra Kehrley, PE, PK Environmental Planning & Engineering, regarding *submission to NJDEP for Minor Stream – Mill Brook Farm, Block 1, Lots 1 & 1.02 (Raritan Twp.) and Block 33, Lot 2 (Franklin Twp.)*, noted for information. No action taken.
8. Letter dated December 8, 2006 from Edward A. Kuc, Principal Ecologist, Eastern States Environmental Associates, Inc. regarding *application for Letter of Interpretation - Spillane, Block 55, Lot 21*, noted for information. No action taken.

OLD BUSINESS:

1. *Solberg Airport* - update by Mayor Shamey.

Mayor Shamey said this matter is currently in discovery up until March 3rd. In addition, depositions have begun.

2. *Country Classics Legacy at Readington* – recommendation for street name.

Administrator Mekovetz said in October the Township Committee asked that she send a letter to the Street Naming Committee because their recommendation for a street name, William Patterson Road, was very similar to an existing road, Patterson Road.

No response has been received, so she asked 911 Coordinator Roberta Housel to contact a member of the Street Naming Committee. Their recommendation was Sidney Berry Road, after one of the original owners of the property.

After a short discussion, all agreed that this recommendation be returned to the Street Naming Committee requesting three (3) additional recommendations.

NEW BUSINESS:

- 1 *Letter of Resignation from RLSA* – Kathy Tilton.

A MOTION was made by Mrs. Allen to accept Ms. Tilton's resignation with regret and to send a letter thanking her for her service. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

A MOTION was made by Mrs. Allen to appoint Ronald Monaco to complete Kathy Tilton's term. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Appointment to RLSA – continued:

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

2. ***Stanton Ridge Homeowners' Association*** – sale of wastewater treatment plant to Aqua New Jersey.

Jennifer Bennett, member of the Board, along with Board members Chris Shaw, Mitch Patel and Ken Mizerny, Esq. and John Hildebrant, from Aqua, NJ appeared before the Committee.

Ms. Bennett said they sent a letter asking that the Committee approve the sale of the plant to Aqua, NJ. The homeowners are not wastewater treatment experts and they think it is in the best interest of the community to hire an expert firm to own, upgrade, run and maintain the plant.

Ms. Bennett said homeowners would actually pay less in association dues over the next two (2) years with the sale of the plat to Aqua, New Jersey.

John Hildebrant from Aqua, New Jersey appeared before the Committee. He said they have similar plants in operation to the Stanton Ridge facility and they would welcome the opportunity to own and operate this facility.

Mrs. Allen asked what the annual payment would be for homeowners?

Mr. Hildebrant said approximately \$975.

Ms. Bennett said they currently pay \$1,200.

Engineer McEldowney said he sent a letter to the Committee regarding this matter. Both Stanton Ridge and Chanco wish to transfer ownership of the facilities from the Association to Aqua, New Jersey. He suggested that several conditions should be attached to any action taken, including the following:

- applicant should furnish evidence that 75% of voting power of the Association have signed written instrument agreeing to transfer;
- such instrument be recorded following the written consent of the Township Committee for transfer;
- applicant provide Franchise Area map with metes and bounds, including specified number of prints, Mylar reproducible and AutoCAD file.

After a short discussion, ***A MOTION*** was made by Mrs. Muir to authorize Attorney Dragan to prepare an ordinance approving the sale of the Stanton Ridge wastewater treatment plant to Aqua New Jersey. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

3. ***Amendment to Ordinance Pertaining to Fees For Copies of Public Records*** – introduction.

The following Ordinance was offered for introduction:

***AN AMENDMENT TO AN ORDINANCE OF THE TOWNSHIP OF READINGTON,
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY PERTAINING TO FEES
FOR COPIES OF PUBLIC RECORDS***

Ordinance #01-2007

Amendment to Ordinance Pertaining to Fees For Copies of Public Records – continued:

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

Section 1: Section **§119-S** entitled "**Procedures and fees for purchasing copies of public records**" is hereby supplemented and amended as follows (deletions are indicated ~~thus~~; additions are indicated thus):

Copies of records may be purchased for the fee prescribed by law or regulation. If a fee is not prescribed by law or regulation, the fee shall be the actual cost of duplicating the record, provided, however, that where the actual cost for duplication of a record exceeds the rates below, the actual cost shall be imposed:

A. Standard-sized paper documents, up to 8 ½ x 14 inches in size:

1 to 10 pages	\$0.75 per page
11 to 20 pages	\$0.50 per page
All over 20	\$0.25 per page

B. Large-sized paper documents and maps (exceeding 11 x 17): actual cost of duplicating plus service charge referred to in Subsection "G" below.

C. Pre-printed documents:

Zoning Map	\$ 5.00
Street Map	\$ 4.00
Land Use Pamphlet	\$30.00
Master Plan	\$30.00
Supplements to Master Plan	\$30.00 each
Sr. Citizens Supplement	\$50.00

D. Police Reports and Photographs:

- (1) Police accident reports: same as Subsection "A" above, if requested and picked up in person.
- (2) Police accident reports, when copies are requested other than in person: \$5 for the first three pages and \$1 per page for each additional page, as established by *N.J.S.A. 39:4-131*.
- (3) Photographs

E. Audio Tape: cost of duplication.

F. Information on CD, diskette or cassette tape:
\$5.00 per CD, diskette or cassette tape

G. A special **service** charge shall be imposed, in addition to the actual cost of duplicating the record, **in the following circumstances**: where the nature, format, manner of collation or volume of printed matter is such that it cannot be reproduced by ordinary document-copying equipment in ordinary business size or where such record involves an extraordinary expenditure of time and effort to accommodate the request; **or where a request is for a record in a medium not routinely used by the Township, not routinely developed or maintained by the Township or requiring a substantial amount of manipulation or programming of information technology.** **The special service charge shall reflect the labor cost of personnel necessary to accommodate the request or the cost for any extensive use of information technology.** **The special service charge rate for supervisory, programming and/or clerical services shall be charged per hour and as follows: (1) The hourly rate shall be the hourly wage of the employee conducting the supervisory, programming and/or clerical services as set by the Township from year to year and/or P.B.A. agreement(s) from time to time.** The requestor shall have the opportunity to review and object to the special service charge prior to it being incurred.

H. Applicable postage shall be added for any and all records requested by mail.

Amendment to Ordinance Pertaining to Fees For Copies of Public Records – continued:

I. An additional fee of fifty cents (.50¢) per page will be applied to all records sent by fax. If it is necessary to photocopy document(s) prior to faxing, the per page copying fee will apply in addition to the faxing fee.

J. A deposit shall be paid prior to filling any request where it is estimated that the information requested will cost in excess of \$5 to reproduce. The amount of the deposit shall equal the total estimated cost of filling the request.

Section 2: All ordinances and parts of ordinances which are inconsistent with the provision of this ordinance are hereby repealed to the extent of such inconsistency.

Section 3: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

Section 4: This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

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

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

Public Hearing was scheduled for Monday, February 5, 2007 at 8:00 p.m.

4. ***Block 36, Lots 9 & 27 (Cook)/Ordinance*** – introduction.

The following Ordinance was offered for introduction:

ORDINANCE APPROPRIATING \$85,000 FROM THE OPEN SPACE TRUST FUND FOR THE ACQUISITION OF A CONSERVATION EASEMENT ON BLOCK 36, LOTS 9 & 27 (OWNER: COOK) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY.

Ordinance #02-2007

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

Section 1. \$85,000 is hereby appropriated from the Open Space Trust Fund for the acquisition of a conservation easement on Block 36, Lots 9 & 27 (Owner: Cook) in and by 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, 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 as provided by the law.

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

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

Block 36, Lots 9 & 27 (Cook)/Ordinance – continued:

Public Hearing was scheduled for Monday, February 5, 2007 at 8:00 p.m.

A ***MOTION*** was made by Mrs. Allen to authorize Administrator Mekovetz to obtain quotes for a survey of Block 36, Lots 9 & 27 (Cook). This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

5. ***Bikeway/Pedestrian Walkway*** – request to use performance bond as maintenance bond.

A ***MOTION*** was made by Mrs. Allen to authorize the Performance Bond for Compass Construction, Inc. for the Bikeway/Pedestrian Walkway project to be used as the Maintenance Bond. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

6. ***Green Brook Racing, LLC*** - request for permission to hold a sprint and Olympic distance triathlon on Sunday, September 9, 2007.

This item was addressed under the Consent Agenda.

7. ***Vacation Carryover*** - Resolution.

This item was addressed under the Consent Agenda.

8. ***Jacobs/Block 38, Lot 81*** - request for release of unused Board of Health escrow funds.

This item was addressed under the Consent Agenda.

9. ***Application for Social Affair Permit*** – Friends of the Shelter.

This item was addressed under the Consent Agenda.

10. ***Application for Membership in NJ Firemen’s Association*** – Jacob Chavarria.

This item was addressed under the Consent Agenda.

11. ***Application for Membership in NJ Firemen’s Association*** – Paul D. Hutchins.

This item was addressed under the Consent Agenda.

12. ***Application for Blue Light Permit*** – Henry R. Lee.

This item was addressed under the Consent Agenda.

13. ***Application for Blue Light Permit*** – Joe Bishop.

This item was addressed under the Consent Agenda.

14. ***Application for Blue Light Permit*** – Ron Anastasi.

This item was addressed under the Consent Agenda.

15. ***Application for Blue Light Permit*** – Brian J. Apgar.

This item was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT:

Administrator Mekovetz said she received a letter from Janie Apgar regarding the pedestrian walkway asking that trash receptacles, two (2) walkway benches, picnic tables and park benches be placed on the walkway.

Engineer McEldowney said that anything that is done has to be in compliance with the restrictions imposed by our freshwater wetlands regulations.

Attorney Dragan said that portions of the walkway over the area that is owned by the Water Supply can't be infringed on.

Administrator Mekovetz said she will meet with Kevin Fischer and Engineer McEldowney to discuss this matter further

Mrs. Allen also asked that the status of the removable of the AT&T building be discussed with Kevin Fischer.

Administrator Mekovetz asked if a member of the Committee could meet with her and representatives of the Emergency Services to discuss the LOSAP ordinance. The question to increase the amount of the appropriation was approved by the voters, but the way it is going to be implemented has not been decided.

Mayor Shamey said he will attend the meeting if Mr. Auriemma is unable to.

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

ATTORNEY'S REPORT:

Written report submitted.

Attorney Dragan said since the last meeting the closing was held on the Chesla property. The closing with Hunterdon County on the Hamewith farm is scheduled for next week.

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

ENGINEER'S REPORT:

Written report submitted.

Mrs. Allen asked for the status of the review of the stormwater ordinance.

Engineer McEldowney said it will be forwarded to the Township Planning in the near future.

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

COMMITTEE REPORTS:

1. Gerard Shamey:

Mayor Shamey said a letter was sent to DPW Director Scott Jesseman from residents on Barley Sheaf road thanking the DPW, and particularly Scott Hulcher, for addressing a water problem at the end of their driveway.

Mayor Shamey said a ceremony was held at the Readington Reformed Church a year ago which involved scouting troops and school children who put together care packages for our troops abroad. The program is called the Readington Adopt-a-Soldier project. Last Memorial Day a letter was received from Ray Hoffman, a local soldier stationed in Afghanistan, whose battalion was chosen to receive some of the care packages that were sent.

COMMITTEE REPORTS – continued:

Since then Cub Pack 1980 and three (3) Girl Scout troops have adopted this battalion and this past Christmas Eve the battalion sent four (4) American Flags that had flown over their base. One flag will be the pack flag for the Cub Scouts and be displayed at the Reformed Church, one will go to the Rolling Hills Girl Scout Council and one will go to the Readington Post Office. They are asking if one of the flags can go on display at the Municipal Building and possibly be presented for Memorial Day. By then, possibly Mr. Hoffman will be back from Afghanistan and can participate in the ceremony.

All agreed this would be a good idea.

Mayor Shamey referred to the newstory about the boy that was abducted and gone for four (4) years. Representatives from the Centers for Missing and Exploited Children said often in rural areas predator-types will follow school buses and watch for patterns. Mayor Shamey said he spoke to Chief Paganessi about this matter and it has been discussed with the bus drivers. Mayor Shamey perhaps additional education for bus drivers, students and parents would be in order.

Chief Paganessi said he would have Officer Dave Furlong do more education on this subject for both the students and parents. He asked if he had the Committee's support to send a memo to the Chief stating that the matter was discussed at this meeting and that the Committee would like to see a follow-up with the bus drivers, students and parents, and also receive updates on the progress. All agreed that this was a good idea.

Mrs. Allen said for students in grades K-3, if there is no one at the bus stop to meet them the bus drivers take the student back to the school.

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

2. Julia Allen:

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

3. Thomas Auriemma:

As Mr. Auriemma was not in attendance, no report was given.

4. Frank Gatti:

a. Finance Department

1. *Payment of the Bills.*

This item was addressed under the Consent Agenda.

Mr. Gatti said he contacted the promoters of the Quik Check Festival of Ballooning and told them that the Township is looking forward to the annual event and told them, if nothing has changed by that time, they should speak with the Solberg's about the event.

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

5. Beatrice Muir:

a. Municipal Court

1. *Municipal Court & Violations Bureau Report* for December, 2006.

This item was addressed under the Consent Agenda.

Mrs. Muir said she received a call from Betty Ann Fort who was contacted by a resident about the speed limit and cross walks in downtown Whitehouse Station. She was suggesting that the speed limit be reduced to 25 mph and that the cross walks be better delineated.

COMMITTEE REPORTS – continued:

Administrator Mekovetz said there was a subcommittee formed to take a look at the entire area of downtown Whitehouse Station. This included the Bank Street parking lot, and the improvement of off street parking. In addition, to look at the entire area and make recommendations to improve the flow of traffic, the sidewalks and parking.

Mayor Shamey said he thought a letter was sent to the County requesting the reduction of the speed limit.

Administrator Mekovetz said she will look into this further to see if a letter was sent.

A MOTION was made by Mrs. Allen to send a letter to Hunterdon County asking that they considering reducing the speed limit on Main Street in Whitehouse Station from 30 mph to 25 mph. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none

Engineer McEldowney said that if a speed study shows that if at least 85% of the traffic speed limit go faster than 25 mph the request could not be approved.

Mr. Gatti said he believes the police department did do a speed study on Main Street.

Engineer McEldowney said the Township could increase speed enforcement and also look into traffic calming measures. He suggested that we look into what was done in the past before sending a letter to the County.

Administrator Mekovetz said if the subcommittee comes up with a good plan, and speed reduction is part of it, it can be presented as part of the plan.

Mr. Gatti said he would like to see use of pedestrian pylons like those in Oldwick.

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

COMMENTS FROM THE PUBLIC:

Mayor Shamey asked for comments from the public. There were none.

COMMENTS FROM THE GOVERNING BODY:

Mayor Shamey asked for comments from the Governing Body. There were none.

ADJOURNMENT

As there was no further business, a motion was made by Mr. Gatti at 9:20 p.m., seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC
Administrator\Municipal Clerk