

**READINGTON TOWNSHIP COMMITTEE
MEETING – February 2, 2009**

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

PRESENT: Mayor J. Allen, Deputy Mayor B. Muir, Mr. F. Gatti, Mr. G. Shamey

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan, Engineer McEldowney

ABSENT: Mr. T. Auriemma

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

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

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

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

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

EXHIBIT A

| <u>Subject Matter</u> | <u>Basis Of Public Exclusion</u> | <u>Date Anticipate When Disclosed to Public</u> |
|-------------------------------------|---|--|
| Contract Negotiations/..... | Professional Services..... <ul style="list-style-type: none"> γRobert Ballard, Jr. Esq. γSupple Clooney & Co. γJacobs Engineering γMcManimon & Scotland, LLC γFisher & Phillips LLP γJWS Computer γPrinceton Hydro, LLC γScott M. Wilhem, Esq γHatch Mott MacDonald | Certain information at the discretion of the Township Committee tonight...other information will remain confidential |
| Contract Negotiations..... | Board of Ed. / Sewer Agreement..... | “ “ “ |
| Land Acq/Contract Negotiations..... | Block 22, Lot 6 (Jensen)..... | “ “ “ |
| Contract Negotiations..... | Building and Grounds..... | “ “ “ |
| Contract Negotiations..... | Public Works..... | “ “ “ |
| Personnel..... | Municipal Court..... | “ “ “ |
| Personnel..... | Whitehouse Library..... | “ “ “ |
| Attorney-Client Privilege..... | Executive Session Minutes..... (January 20, 2009) | “ “ “ |

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

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

2. This Resolution shall take effect immediately.

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

The meeting reconvened 7:29 p.m.

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

Swearing in of New Police Department Patrolmen

Administrator Mekovetz swore in Daniel Hansson and Joseph Hartmann as Patrolmen.

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

Contract Negotiations/Professional Services/Robert A. Ballard, Esq.

The following Resolution was offered for consideration:

#R-2009-21

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR MUNICIPAL PROSECUTOR SERVICES

WHEREAS, the Township of Readington has a need to acquire Municipal Prosecutor 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 Anon-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, Robert A. Ballard, Jr., Esq. has submitted a proposal indicating he will provide Municipal Prosecutor services for \$140 per hour and non-prosecutorial litigation services for \$175 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Robert A. Ballard, Jr., Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Robert A. Ballard, Jr., 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 Robert A. Ballard, Jr., 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2009 budget.

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 Robert A. Ballard, Jr., Esq. as described herein; and

Resolution #2009-21 cont'd:

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, 2009; 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. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/Professional Services/Suplee, Clooney & Co

The following Resolution was offer for consideration:

#R-2009-22

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR MUNICIPAL AUDITOR SERVICES

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

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 Municipal Auditor Services for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2009 budget.

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

Resolution #2009-22 cont'd:

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2009;
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:

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

Contract Negotiations/Professional Services/Jacobs Engineering Group, Inc

The following Resolution was offered for consideration:

#R-2009-23

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING SERVICES

WHEREAS, the Township of Readington has a need to acquire Traffic Engineering and Transportation 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, , Inc. has submitted a proposal indicating they will provide Traffic Engineering and Transportation Planning Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Jacobs Engineering Group. has completed and submitted a Business Entity Disclosure Certification which certifies that Jacobs Engineering Group 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 Jacobs Engineering Group. 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2009 budget.

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 Jacobs Engineering Group 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, 2009;
and

Resolution #2009-23 cont'd:

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

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

Contract Negotiations/Professional Services/McManimon & Scotland LLC

The following Resolution was offered for consideration:

#R-2009-24

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
BOND ATTORNEY SERVICES**

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 Anon-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, McManimon & Scotland, L.L.C. has submitted a proposal indicating they will provide Bond Attorney Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2009 budget.

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, 2009; and

Resolution #2009-24 cont'd:

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. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/Professional Services/Fisher & Phillips LLP

The following Resolution was offered for consideration:

#R-2009-25

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LABOR COUNSEL SERVICES**

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 - \$295.00 per hour.
- Senior Associate - \$225.00 per hour.
- Junior Associate - \$185.00 per hour

for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2009 budget.

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

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

Resolution #2009-25 cont'd:

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2009;
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. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/Professional Services/JWS Computers

The following Resolution was offered for consideration:

#R-2009-26

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL COMPUTER AND PRINTER MAINTENANCE SERVICES

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 for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2009 budget.

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

Resolution #2009-26 cont'd:

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2009;
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. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/Professional Services/Princeton Hydro, LLC

The following Resolution was offered for consideration:

#R-2009-27

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
GENERAL ENVIRONMENTAL CONSULTING SERVICES**

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 for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2009 budget.

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

Resolution #2009-27 cont'd:

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2009;
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. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/Professional Services/Scott M. Wilhem, Esq.

The following Resolution was offered for consideration:

#R-2009-28

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
ALTERNATE MUNICIPAL PUBLIC DEFENDER SERVICES**

WHEREAS, the Township of Readington has a need to acquire Alternate Municipal Public Defender 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 Anon-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, Scott M. Wilhelm, Esq. has submitted a proposal indicating he will provide Alternate Municipal Public Defender Services at a rate of \$95 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Scott M. Wilhem, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Scott C. Mitzner, 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 Scott M. Wilhem, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2009 budget.

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 Scott C. Mitzner, 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

Resolution # 2009-28 cont'd:

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2009;
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. Shamey to adopt this Resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/Professional Services/Hatch Mott MacDonald

The following Resolution was offered for consideration:

#R-2009-29

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL, ENGINEERING AND PROFESSIONAL LAND SURVEYING SERVICES

WHEREAS, the Township of Readington has a need to acquire Professional Engineering and Professional Land Surveying Services as a non-fair and open contract pursuant to the provision 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, LLC, has submitted a proposal indicating they will provide Professional Engineering and Professional Land Surveying Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Hatch, Mott and MacDonald, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch, Mott and MacDonald, 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 Hatch, Mott and MacDonald, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2009 budget.

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, 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

Resolution #2009-29 cont'd:

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2009 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. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/Board of Education/Sewer Agreement

A ***MOTION*** was made by Mr. Shamey to approve the sewer agreement as amended, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

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

Mayor Allen stated this matter remains in Executive Session.

.Contract Negotiations/Building and Grounds

Mayor Allen stated this matter remains in Executive Session.

Contract Negotiations/Public Works

Mayor Allen stated this matter remains in Executive Session.

Personnel/Municipal Court

A ***MOTION*** was by Mr. Shamey to accept this resignation of Julie Kosakowski as Deputy Court Administrator effective January 30, 2009, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Personnel/Three Bridges Library

Mayor Allen stated this matter remains in Executive Session.

Attorney-Client Privilege/Executive Session Minutes (January 20, 2009)

A ***MOTION*** was made by Mr. Shamey to approve the Executive Session Minutes of January 20, 2009 for content only, seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

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

Mayor Allen stated this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Allen read the following statement:

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

- *1. **APPROVAL OF MINUTES** of meeting of January 20, 2009
- *2. **Results and Award of Bond Anticipation Notes \$43,000,000 (2/4/09-2/4/10)**
- *3. **Resolution to Elect Not to Self Examine the 2009 Township Budget**

The following Resolution was offered for consideration:

#R-2009-30

**TOWNSHIP OF READINGTON
RESOLUTION TO ELECT NOT TO SELF EXAMINE THE 2009 TOWNSHIP BUDGET**

WHEREAS, NJSA 40a:4-78b authorizes municipalities in sound fiscal condition to assume the responsibility normally granted to the Director of the Division of Local Government Services of conducting the annual budget examination,

And **WHEREAS**, the Township of Readington is eligible for self examination of the 2009 Municipal budget,

The Mayor and Township Committee of the Township of Readington hereby elect to pass on self examination and request the Division of Local Government Services perform the examination.

- *4. **Amendment/Modification to Section 319H NPS Pollution Control and Management Implementation Program Grant: Regional Stormwater Management Plan for the Pleasant Run and the Holland Brook Watersheds**
- *5. **Vacation Carryover** – resolution

The following Resolution was offered for consideration:

#R-2009-31

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Section 8.3 of the Readington Township Personnel Policies, Practices and Regulations permits employees to carry over vacation days of the current year, and

WHEREAS, permission to do so must be granted by the Township Committee, and

WHEREAS, current year vacation days carried over into the subsequent year must be used by March 31, and

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

Readington Township Committee

Meeting – February 2, 2009

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| NAME | HOURS |
|-------------|--------------|
| Andrews | 2 |
| Apgar | 8 |
| Barczyk | 31 |
| Benecchi | 92 |
| Campbell | 30 |
| Carro | 16 |
| Clapp | 66.5 |
| Crater | 36 |
| DeBella | 15 |
| DeBray | 8 |
| Dewire | 54 |
| Donaruma | 72 |
| duFosse | 36 |
| Federico | 10 |
| Ferriero | 48 |
| Gooley | 35 |
| Gould | 40 |
| Grear | 15.5 |
| Gysi | 32 |
| Hall | 16 |
| Heater | 24.5 |
| Helbing | 3.5 |
| Heycock | 28 |
| Hollander | 40 |
| Housel | 19 |
| Hudecek | 41.5 |
| Hulcher | 24 |
| Hunt | 9.25 |
| Insabella | 72 |
| Jacukowicz | 39 |
| Jessemen | 32 |
| Kennedy | 29 |
| Kenney | 63.5 |
| Kizmiw | 3.5 |
| Konn | 28 |
| Kovonuk | 13 |
| Liddane | 16.5 |
| Madeano | 24 |
| Mackiewicz | 60 |
| Mailler | 10.5 |
| Marcine | 21 |
| Mastro | 18 |
| Mayer | 11.25 |
| Mekovetz | 17 |
| Mitchell | 26 |
| Paganessi | 56.5 |
| Parker | 28 |
| Paustian | 48 |
| Przewozny | 19.25 |
| Reilly | 36 |
| Rodas | 42 |
| Rosa | 8 |
| Rubino | 14 |
| Santo | 7.5 |
| Slutter | 7 |
| Stoveken | 2 |
| Warner | 27.5 |
| Wester | 12 |

Resolution #2009-31 cont'd:

NOW, THEREFORE, BE IT RESOLVED that the Township Committee does hereby grant permission for the requests as presented.

- *6. **John Niocdemus, Block 64/Lot 35** – release of escrow (\$1,071.35)
- *7. **Firemen’s Application Membership** – David A. Hogrebe
- *8. **Payment of Bills**

| <u>Fund Description</u> | <u>Fund No.</u> | <u>Received Total</u> |
|--|-----------------|---------------------------|
| CURRENT FUND | 8-01 | \$ 57,331.08 |
| SEWER APPROPRIATIONS | 8-02 | \$ 8,863.36 |
| CURRENT FUND | 9-01 | \$ 411,261.11 |
| SEWER APPROPRIATIONS | 9-02 | \$ 99,616.67 |
| TRUST FUNDS | X-03 | \$ 29,065.44 |
| MISC REFUND, COUNTY TAX, LIENS | X-05 | \$ 118,070.41 |
| PAYROLL DEDUCTIONS REGIONAL & LOCAL | X-06 | \$ 151,485.47 |
| SCHOOL TAX | X-07 | \$2,485,176.00 |
| 2003 CAPITAL APPROPR. | X-33 | \$ 5,357.00 |
| 2007 CAPITAL | X-77 | \$ 308,206.00 |
| 2008 CAPITAL | X-88 | <u>\$ 148,239.96</u> |
| TOTAL OF ALL FUNDS | | \$3,822,672.50 |

A **MOTION** was made by Mrs. Muir to approve the Consent Agenda, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

CORRESPONDENCE/OTHER INFORMATION:

1. Memorandum dated January 9, 2009 from Donna Burham, Municipal Clerk, Township of Clinton regarding **An Ordinance Deleting and Replacing Subsection 165-50.J Entitled “Temporary Certificate of Occupancy,” and Amending Section 165-251, Entitled “Soil Disturbance and Grading Plan Required: Applicability: Exemptions,” of the Code of the Township of Clinton, New Jersey.** No action taken.
2. Memorandum from Debora Padgett, Planning Board Clerk, Township of Hillsborough regarding **Public Hearing to review and adopt the Master Plan Amendment-Land Use Element pursuant to N.J.S.A. 40:55D-28.** No action taken.
3. Letter dated January 20, 2009 from John P. Peel, PP, PK Environmental regarding **NJDEP Letter of Interpretation Line Verification for Block 2.01, Lots 9.01 & 11 (Hall’s Mill Farm), Readington Township, Hunterdon County.** (Entire File Available in Clerk’s Office for Review) No action taken.
4. Letter from Lou Cattuna, Northern Delaware Regional Supervisor, Department of Environmental Protection, Division of Land Use Regulation regarding **Freshwater Wetlands General Permit No. 6, Block 34, Lot 10, Readington Township, Hunterdon County.** No action taken.

5. Letter from Lou Cattuna, Northern Delaware Regional Supervisor, Department of Environmental Protection, Division of Land Use Regulation regarding ***Freshwater Wetlands General Permit No. 6, Block 32, Lot 12, Readington Township, Hunterdon County.*** No action taken.

OLD BUSINESS:

1. ***Somerset Street Parking***

The Committee reviewed the recommendation of Chief Paganessi to post No Parking signs on the narrow dirt portion of the street. Engineer McEldowney recommended that the situation be monitored through the police patrolling the area and report to the Committee if any problems occur in the future.

NEW BUSINESS:

1. ***An Ordinance Amending an Ordinance for Determining Positions Eligible for the Defined Contribution Retirement Act*** – introduction

Administrator Mekovetz stated the Local Finance Board has determined that the position of the Municipal Court Administrator does not meet the stated criteria for the Defined Contribution Retirement plan and the only amendment to this ordinance is to delete this title from the list of eligible positions.

The following Ordinance was offered for introduction:

AN ORDINANCE AMENDING AN ORDINANCE FOR DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT ACT

ORDINANCE #05-2009

WHEREAS, the State Legislature recently adopted Chapter 92 of the Laws of 2007 (N.J.S.43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and,

WHEREAS, N.J.S. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and

WHEREAS, the Township Committee of the Township of Readington has considered the guidelines issues by the Local Finance Board;

THEREFORE, BE IT ORDAINED by the Readington Township Committee that:

Section 1b is amended as follows [deletions are indicated ~~thus~~]:

1. Pursuant to N.J.S. 43:15C-2, the following positions are deemed eligible for and shall participate in the Defined Contribution Retirement Program:
 - a. Statutory-based, untenured chief administrative officer of the local unit

Municipal Administrator, Chief Administrative Officer

Ordinance #05-2009 cont'd:

- b. Positions with principal responsibility of a government function(s), commonly called “department heads” or similar title, that are filled by action of the governing body and who report directly to an elected official(s) or chief administrative officer

~~Court Administrator~~
Planning and Zoning Coordinator
Recreation Director
Housing Coordinator
Administrator of Public Assistance
Social Services Director
Fire Official
Land Use Administrator
Librarian
Museum Administrator
Treasurer
Registrar

- c. Gubernatorial appointees who serve in county or municipal government for a fixed term

Mayor and Members of the Township Committee
Municipal Court Judge

- 2. Individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S. 43:15C-2:

- a. *Tax Collector*
- b. *Chief Financial Officer*
- c. *Registered Municipal Clerk*
- d. *Construction Code Official*
- e. *Tax Assessor*
- f. *Licensed Uniform Sub-code Inspector*
- g. *Building Sub-code Inspector*
- h. *Fire Sub-code Inspector*
- i. *Electrical Inspector*
- j. *Plumbing Inspector*
- k. *Fire Inspector*
- l. *Director Public Works*

- 3. If an individual is appointed to one of the positions listed in Section 1 and the individual is not serving in a position as described in Section 2 above, the Pension Certifying Officer of the municipality may determine that the individual is not required to join the Defined Contribution Retirement Program if that individual; **1.** was an active participant in the Public Employee Retirement System on July 1, 2007 and continuously since that time; or **2.** has been appointed pursuant to a valid promotional process; or is **3.** is appointed on a temporary, interim, or “acting” basis to a position requiring State Certification as set forth in Section 2 herein, and is in pursuit of the required certification; or **4.** meets such other exceptions that may be approved by the Local Finance Board or the Division of Pensions and Benefits.
- 4. This Ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board of the Division of Pensions and Benefits.

Ordinance #05-2009 cont'd:

5. Should any part or parts of this Ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.
6. A copy of this Ordinance shall be filed with the Director of the Division of Pensions and Benefits of the New Jersey Department of the Treasury.
7. This Ordinance shall take effect upon its passage and publication as required by law.

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

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

The Public Hearing was scheduled for 8:00 p.m. February 17, 2009.

2. ***An Ordinance of the Township of Readington, County of Hunterdon, State of New Jersey Prohibiting Parking on a Portion of Summer Road in the Township and Establishing Penalties for the Violation thereof – introduction***

Mayor Allen requested that the No Parking area on a portion of Summer Road be extended to go beyond the curve.

The following Ordinance was offered for introduction:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY PROHIBITING PARKING ON A PORTION OF SUMMER ROAD IN THE TOWNSHIP AND ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF

ORDINANCE #06-2009

WHEREAS, Summer Road is located wholly within the jurisdiction of the Township of Readington in the County of Hunterdon; and

WHEREAS, in accordance with N.J.S.A. 39:4-8c, the Township may prohibit parking along the roadways within the Township's jurisdiction without having to obtain approval from the New Jersey Commissioner of Transportation, and

WHEREAS, the Township believes that it is within the interest of public safety to prohibit parking along both sides of Summer Road for a length of 2,200 feet from Hixson Road running southerly and easterly to the westerly line of Readington Township Summer Road Park (Block 75, Lot 18); and

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

Section I. Purpose. The purpose of this ordinance is to prohibit parking on the portion of Summer Road described below so as to protect the public health, safety and welfare of the citizens of the Township of Readington, as well as the traveling public, and to prescribe penalties for failure to comply.

Section II. Prohibited Conduct.

Ordinance #06-2009 cont'd:

There shall be no parking at any time along Summer Road, on either side, starting at Hixson Road and running southerly and easterly approximately 2,200 feet to the westerly line of Readington Township Summer Road (Block 75, Lot 18). A map depicting the portion the portion of the roadway affected by this Ordinance is attached hereto as Schedule A. The portion of Summer Road upon which no parking is permitted is shown as a solid black line on the map.

Section III. Signage.

Upon final adoption of this ordinance, for the benefit of the public, signs shall be posted at intervals along Summer Road between Hixson Road and the aforementioned curve, clearly indicating that parking is prohibited on either side, at all times, in accordance with the D.O.T. guidelines for placement for signage.

Section IV. Enforcement.

This ordinance shall be enforced by the Readington Township Police Department pursuant to N.J.S.A. Section 39:4-2 once it becomes effective and signs have been put into place.

Section V. Violations and Penalty. Any vehicle parked in the prohibited parking area created by this ordinance may be towed at the expense of the owner. Any person who violates the provisions of this Ordinance shall, upon conviction, be subject to a fine not exceeding \$250 (plus court costs, if contested) and/or a period of community service not exceeding 15 days, or both. Each day a violation continues after the time required for abatement thereof shall constitute a separate offense.

Section VI. Repealer. This ordinance supersedes and repeals any ordinances, sections or portions of any other Township ordinances inconsistent herewith.

Section VII. Severability. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section VIII. Effective Date. This Ordinance shall be effective immediately upon adoption and final publication according to law.

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

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

The Public Hearing was scheduled for 8:00 p.m. March 2, 2009.

3. ***A Bond Ordinance Providing for the Acquisition of Property (Block 3, Lot 3.01 OWNER: Renda) in and by the Township of Readington, in the County of Hunterdon, New Jersey, Appropriating \$110,000 thereof and Authorizing the Issuance of \$104,500 Bonds or Notes of the Township to Finance Part of the Cost thereof*** – introduction

Mayor Allen stated this bond ordinance pays for the acquisition of approximately six acres on Taylor's Mill road. The property is adjacent to 30 acres of open space which would complete the preservation of land between Taylor's Mill road to the north branch of the Rockaway Creek and preserve it for a portion of the north branch of the Rockaway Creek Greenway.

The following Ordinance was offered for introduction:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 3, LOT 3.01 OWNER: RENDA) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$110,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$104,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

ORDINANCE #07-2009

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE CO Readington Township Open Space Advisory Board
UNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Readington, New Jersey (the “Township”) as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$110,000, including the sum of \$5,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$104,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of property known as Block 3, Lot 3.01 (Owner: Renda) on the tax maps of the Township, including all related costs and expenditures incidental thereto.

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

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

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

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as

Ordinance #07-2009 cont'd:

a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

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

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$104,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

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

Section 10. The Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as the case may be, are authorized pursuant to N.J.S.A. 40A:12-1 *et seq.*, and any other applicable law, to prepare and sign any and all necessary documentation to effectuate the acquisition as described herein, concerning the property known as Block 3, Lot 3.01 (Owner: Renda), including, but not limited to, any contracts and amendments thereto and all closing documents needed to complete the purchase.

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

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

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

The Public Hearing was scheduled for 8:00 p.m. February 17, 2009.

4. ***A Bond Ordinance Providing for the Acquisition of a COAH Unit, Located at 404 Dove Cote Court, Whitehouse, New Jersey, in and by the Township of Readington, in the County of Hunterdon, New Jersey, Appropriating \$120,000 thereof and Authorizing the Issuance of \$114,000 Bonds or Notes of the Township to Finance Part of the Cost thereof - introduction***

Attorney Dragan stated this unit is in foreclosure and this ordinance will provide for the purchase of it so that it can be saved as affordable housing unit.

The following Ordinance was offered for introduction:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A COAH UNIT, LOCATED AT 404 DOVE COTE COURT, WHITEHOUSE, NEW JERSEY, IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$120,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$114,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

ORDINANCE #08-2009

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Readington, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$120,000, including the sum of \$6,000 as the down payment required by the Local Bond Law. The down payment is now available from the Capital Improvement Fund

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$114,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of a COAH unit located at 404 Dove Cote Court, Whitehouse, New Jersey, including all related costs and expenditures incidental thereto.

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

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

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

Ordinance # 08-2009 cont'd:

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

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

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$114,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$25,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

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

Section 10. The Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as the case may be, are authorized pursuant to N.J.S.A. 40A:12-1 *et seq.*, and any other applicable law, to prepare and sign any and all necessary documentation to effectuate the acquisition as described herein, concerning the property located at 404 Dove Cote Court, Whitehouse, New Jersey, including, but not limited to, any contracts and amendments thereto and all closing documents needed to complete the purchase.

Ordinance # 08-2009 cont'd:

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

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

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

The Public Hearing was scheduled for 8:00 p.m. February 17, 2009.

5. **An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank** - introduction

Administrator Mekovetz stated the Local Finance Cost of Living increase is 2.5% for appropriations and in order to go up to 3.5% and automatically bank any excess with that limitation, this Ordinance must be adopted annually.

The following Ordinance was offered for introduction:

**CALENDAR YEAR 2009
TOWNSHIP OF READINGTON
ORDINANCE TO EXCEED MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

ORDINANCE #09-2009

WHEREAS, the Local Government Cap Law, *N.J.S.A. 40A:4-45.1 et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, *N.J.S.A. 40A:4-45.15a* provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Readington in the County of Hunterdon finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee of the Township of Readington hereby determines that a 3.5% increase in the budget for said year, amounting to \$436,248.98 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee of the Township of Readington hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two (2) succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Readington, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Township of Readington shall, in accordance with this ordinance and

Ordinance #09-2009 cont'd:

N.J.S.A. 40A:4-45.14, be increased by 1%, amounting to \$124,642.56, and that the CY 2009 municipal budget for the Township of Readington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

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

The Public Hearing was scheduled for 8:00 p.m. February 17, 2009.

6. **Land Use Checklist Amendment** – Board of Adjustment-discussion

Mayor Allen stated that the Board of Adjustment requested to reduce the amount of wasted paper by amending their land use checklist to require that when appropriate, all applicants submit documents double-sided. Administrator Mekovetz suggested that it might be best to just add language to the checklist itself. A discussion took place on double siding documents; however there were concerns regarding the speed of copying and the potential omission of pages. Mr. Shamey recommended advising the Board of Adjustment that this matter was discussed and the recommendation would be that they put a notation on their applications if they deem it appropriate.

7. **Appointment of Representative to Readington-Lebanon Sewerage Authority**

A MOTION was made by Mrs. Muir to appoint Ron Monaco as Representative to the Readington-Lebanon Sewer Authority for a five (5) term, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

8. **Whitehouse Fire Company Number One** – letter dated January 26, 2009 requesting approval for annual coin toss fund raiser (May 29th and 30th), with alternate rain date June 5th and June 6th)

A MOTION was made by Mr. Gatti to approve the annual coin toss for 2009, seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

* 9. **Results and Award of Bond Anticipation Notes \$ 43,000,000 (2/4/09 – 2/4/10)**

This item was addressed under Consent Agenda.

* 10. **Resolution to Elect not to Self Examine the 2009 Township Budget**

This item was addressed under Consent Agenda.

- * 11. ***Amendment/Modification to Section 319H NPS Pollution Control and Management Implementation Program Grant: Regional Stormwater Management Plan for the Pleasant Run and the Holland Brook Watersheds***

This item was addressed under Consent Agenda.

- * 12. ***Vacation Carryover***- resolution

This item was addressed under Consent Agenda.

- * 13. ***John Nicodemus, Block 64/Lot 35*** – release of escrow - \$1,071.35

This item was addressed under Consent Agenda.

- * 14. ***Firemen's Membership Application*** – David A. Hoglebe

This item was addressed under Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported that she received the revised specifications for the Bouman Stickney Guesthouse and passed them onto to the Museum Committee for their review and then it should be going out to bid shortly thereafter. Mayor Allen requested to review the specifications before they go out to bid.

ATTORNEY'S REPORT

Attorney Dragan stated she had nothing further to report.

ENGINEER'S REPORT

Engineer McEldowney stated he had nothing further to report.

COMMITTEE REPORTS

Julia Allen

Mayor Allen reported that she had attended the Freeholders Mayor's Summit meeting inviting all the mayors in townships of Hunterdon County to talk about open space and farmland preservation and the administration of the Hunterdon County Farmland and Open Space and Historic Preservation Trust. Mayor Allen reported that she wrote a letter to the editor of the Hunterdon Democrat with comments on the meeting addressing her concerns. Mayor Allen suggested that a letter be drafted to the Freeholders summarizing the concerns of utilizing the funding and copy it to the governing bodies of the neighboring towns, Hunterdon County Open Space Committee and the County Agricultural Development Board. Mr. Shamey requested that before the letter goes out he would like a consensus from the committee members on the content of the letter.

Mayor Allen also reported that Mr. Auriemma and she met with members of the East Whitehouse Fire Company in regards to their needs for improvement to their building.

Frank Gatti

Mr. Gatti commented on the Consent Agenda, New Business #9, the notes that were rolled over and the Township receiving a great rate by obtaining quotes.

A MOTION was made by Mr. Gatti to thank Tom Carro, Chief Financial Officer, for the great job, seconded by Mr. Shamey.

Mr. Gatti reported that he and Mayor Allen met with the Chief of Police to improve communication and also in assisting in attaching a police page to the website.

Beatrice Muir

Mrs. Muir stated she had a Public Assistance Meeting last week.

Mrs. Muir stated based on the code enforcement report, building has diminished significantly for the last two months.

Gerard Shamey

Mr. Shamey stated he had nothing to report.

COMMENTS FROM THE PUBLIC

There were none.

COMMENTS FROM THE GOVERNING BODY

There were none.

As there was no further business, A ***MOTION*** was made by Mr. Shamey at 8:56 p.m. to adjourn the meeting, seconded by Mrs. Muir with a vote of all ayes, nays none recorded.

Respectfully Submitted:

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