

**READINGTON TOWNSHIP COMMITTEE
MEETING – JULY 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>
Municipal Court	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Recreation.....	Personnel.....	" " "
Block 20, Lot 11 (Csepi).....	Contract Negotiations.....	" " "
Block 96, Lot 18 (D’Urso).....	Contract Negotiations.....	" " "
Block 56, Lot 5 (James).....	Contract Negotiations.....	" " "
Block 60, Lot 12 (Luberto).....	Contract Negotiations.....	" " "
Awarding of Hunting Bids.....	Contract Negotiations.....	" " "
Awarding of Maintenance & Repair Bids.....	Contract Negotiations.....	" " "
Executive Session Minutes (July 2, 2007).....	Attorney-Client Privilege.....	" " "
Joanzee LLC v. Twp. of Readington, <i>et al.</i>	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.

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.

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

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

Personnel - Municipal Court

A **MOTION** was made by Mrs. Muir to approve the previously agreed upon incremental increase in salary for Traci Kazeleski for receipt of her Municipal Court Administrator Certification. This motion was 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

Personnel – Recreation

A **MOTION** was made by Mrs. Muir to hire the following Clean Communities Workers to be paid from the 2007 Clean Community Grant at a rate of \$8.00 per hour, from July 5, 2007 through August 31, 2007: Zac Merchant, Nicholas Vigilante & Stephanie Arbelo. This motion was 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

Contract Negotiations - Block 20, Lot 11 (Csepi)

A **MOTION** was made by Mrs. Allen to ratify approval of a contract with Key-Tech in the amount of \$2,060 for an environmental assessment of Block 20, Lot 11 (Csepi). This motion was 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

Contract Negotiations - Block 96, Lot 18 (D’Urso)

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

Contract Negotiations - Block 56, Lot 5 (James)

A **MOTION** was made by Mrs. Allen to authorize Attorney Dragan to draft a contract for Block 56, Lot 5 (James). This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Contract Negotiations - Block 60, Lot 12 (Luberto)

Mayor Shamey said this item will be removed from Executive Session and will be considered under “New Business.”

Contract Negotiations - Awarding of Hunting Bids

- **Block 52.01, Lot 14.06 (Cole Road)**

A **MOTION** was made by Mr. Gatti to award the bid for hunting on Block 52.01, Lot 14.06 (Cole Road) to the KJS Hunting Club for \$7,325.00, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

Awarding of Hunting Bids - Block 52.01, Lot 14.06 (Cole Road) – continued:

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

• **Block 66, Lots 2 & 3 (Cole Road)**

A **MOTION** was made by Mrs. Muir to award the bid for hunting on Block 66, Lots 2 & 3 (Cole Road) to the Pinebank Road Hunting Association for \$3,300.00, 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

• **Block 96, Lot 18 (Old York Road)**

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2007-95**

WHEREAS, the Readington Township Committee (“Committee”) publicly advertised for hunting bids during the 2007-2008 season on Block 96, Lot 18 (Old York Road) in the Township, which property is a Green Acres assisted, publicly assessed property owned by the Township (hereinafter referred to as “the Property”); and

WHEREAS, on June 28, 2007, the Administrator/Municipal Clerk conducted the bid opening whereupon the total number of bidders for hunting on the Property was two (2); and

WHEREAS, upon review of the bids, the Administrator/Municipal Clerk determined that the highest bid offered, \$3,500.00, was from Garden State Rod & Gun Club (hereinafter “Garden State”), but that such bid was defective and non-responsive; and

WHEREAS, upon review, the Township Attorney found that the bid from Garden State failed to include: 1) either a copy of the club’s by-laws or good standing certificate; 2) a membership roster and 3) a bid bond. Further, the insurance certificate did not name Readington Township as an additional insured. The failure to include the bid bond was a fatal defect which cannot be cured according to *N.J.S.A. 40A:11-23.2*. Further, all the other named items were mandatory as well, in both the Township’s instructions and public notice. The failure to include mandatory items renders a bid unresponsive. Also, per New Jersey case law, they constitute non-waivable defects in that the failure to provide them at the time of the bi would 1) result in an uncertainty that the agreement would be performed in accordance with the specifications and 2) would adversely affect competitive bidding by placing Garden State in a position of advantage over the other bidders who complied. *P&A Construction, Inc. v. Twp. of Woodbridge, 365 N.J. Super. 164 (App. Div. 2004)*; and

WHEREAS, the bid from the second highest bidder, Pines Rod & Gun Club, in the amount of \$3,169.00 was reviewed and was found to be complete and it is recommended that it be accepted.

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

1. The Township Committee hereby accepts the recommendation of the Administrator/Municipal Clerk and Township Attorney and rejects the bid received from Garden State Rod & Gun Club on June 28, 2007 for hunting on the above Property because it is deficient and non-responsive, for all the reasons set forth above, effective immediately.

Awarding of Hunting Bids - Block 96, Lot 18 (Old York Road) – continued:

2. The Township Committee hereby accepts the recommendation of the Administrator/Municipal Clerk and Township Attorney and accepts the bid of the second highest bidder, Pines Rod & Gun Club, in the amount of \$3,169.00 for hunting game on Block 96, Lot 18 during the 2007-2008 hunting season.
3. The Administrator/Municipal Clerk is authorized to notify all those who bid on the Property of this decision.

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	-	Aye

- **Block 66, Lot 13 (Pleasant Run Road)**

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2007-96***

WHEREAS, the Readington Township Committee (“Committee”) publicly advertised for hunting bids during the 2007-2008 season on Block 66, Lot 13 (Pleasant Run Road) in the Township, which property is a Green Acres assisted, publicly accessed property owned by the Township (hereinafter referred to as “the Property”); and

WHEREAS, on June 28, 2007, the Administrator/Municipal Clerk conducted the bid opening whereupon the total number of bidders for hunting on the Property was three (3); and

WHEREAS, upon review of the bids, the Administrator/Municipal Clerk determined that the highest bid offered, \$5,115.00, was from Kodiak Rod & Gun Club (hereinafter “Kodiak”), but that such bid was defective and non-responsive; and

WHEREAS, upon review, the Township Attorney found that the insurance certificate in the bid from Kodiak failed to name Readington Township as an additional insured; this was a mandatory requirement in both the Township’s instructions and public notice; the Township’s bid specifications also supplied a sample form. The failure to include mandatory items renders a bid unresponsive. *Bodies by Lembo, Inc. v County of Middlesex, 286 N.J. Super. 298 (App. Div. 1996); Meadowbrook Carting Co. v Borough of Island Heights, 138 N.J. 314 (1994)*. New Jersey case laws states that they constitute non-waivable defects when the failure to provide them at the time of the bid would 1) result in an uncertainty that the agreement would be performed in accordance with the specifications and 2) would adversely affect competitive bidding by placing the bidder in a position of advantage over the other bidders who complied. *P&A Construction, Inc. v. Twp. of Woodbridge, 365 N.J. Super. 164 (App. Div. 2004)*. In reviewing the bids, it is clear that 1) waiver of the defect could result in an uncertainty that insurance would be obtained as required by the specifications and 2) that accepting a waiver would put Kodiak at an advantage over other bidders. According to the bids reviewed, other bidders used the same insurance as Kodiak and they did undergo the cost of naming the Township as an additional insured; to waive this defect would adversely affect bidding because it would give those who do not comply a financial advantage in bidder over other bidders who do; and

WHEREAS, the bid from the second highest bidder, Flemington-Raritan Township Rod & Gun Association, in the amount of \$2,700.00 was reviewed and was found to be complete and it is recommended that it be accepted.

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

Awarding of Hunting Bids - Block 66, Lot 13 (Pleasant Run Road) – continued:

1. The Township Committee hereby accepts the recommendation of the Administrator/Municipal Clerk and Township Attorney and rejects the bid received from Kodiak Rod & Gun Club on June 28, 2007 for hunting on the above Property because it is materially deficient and non-responsive, for all the reasons set forth above, effective immediately.
2. The Township Committee hereby accepts the recommendation of the Administrator/ Municipal Clerk and Township Attorney and accepts the bid of the second highest bidder, Flemington-Raritan Township Rod & Gun Association, in the amount of \$2,700.00 for hunting game on Block 66, Lot 13 during the 2007-2008 hunting season.
3. The Administrator/Municipal Clerk is authorized to notify all those who bid on the Property of this decision.

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

• **Block 57, Lots 2 & 2.05 (Thor Solberg Road)**

A MOTION was made by Mrs. Muir to award the bid for hunting on Block 57, Lots 2 & 2.05 (Thor Solberg Road) to the Pines Rod & Gun Club for \$1,069.000, 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

• **Block 63, Lots 19 & 64 (Woodschurch Road)**

A MOTION was made by Mrs. Muir to award the bid for hunting on Block 63, Lots 19 & 64 (Woodschurch Road) to the KJS Hunting Club for \$6,221.00, 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

• **Block 25, Lots 19 & 20 (Route 523)**

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2007-97***

WHEREAS, the Readington Township Committee (“Committee”) publicly advertised for hunting bids during the 2007-2008 season on Block 25, Lots 19 & 20 (Route 523) in the Township, which property is a Green Acres assisted, publicly accessed property owned by the Township (hereinafter referred to as “the Property”); and

WHEREAS, on June 28, 2007, the Administrator/Municipal Clerk conducted the bid opening whereupon the total number of bidders for hunting on the Property was two (2); and

Awarding of Hunting Bids - Block 25, Lots 19 & 20 (Route 523) – continued:

WHEREAS, upon review of the bids, the Administrator/Municipal Clerk determined that the highest bid offered, \$2,132.00, was from Double “O” Rod & Gun Club (hereinafter “Double O”), but that such bid was defective and non-responsive; and

WHEREAS, upon review, the Township Attorney found that the bid guarantee from Double “O” which was \$100.00, was insufficient. It should have been \$213.00. Per the instructions and the Township’s legal notice, “all bids must be accompanied by a guarantee in the form of a certified or cashier’s check payable to the Township of Readington, in the amount of ten percent (10%) of the amount bid or \$100.00, whichever is **greater**...” (emphasis supplied). A bid guarantee is one of the five (5) items listed in N.J. Public Contracts Law that if mandated by the Township in a bid specification, becomes a fatal defect which cannot be cured if it is not included with the bid, *N.J.S.A. 40A:11-23.2*. Other bidders did comply with this requirement. The instructions and the legal notice were clear. To waive this requirement would allow the bidder an unfair advantage over the other bidders; if it decided not to enter into the contract, then the Township would not get the benefit of the performance guarantee. Also, not posting the full amount gave this bidder more of a financial advantage over others who did submit it; and

WHEREAS, the bid from the second highest bidder, Bonehead Archery, in the amount of \$2,000.00 was reviewed and was found to be complete and it is recommended that it be accepted.

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

1. The Township Committee hereby accepts the recommendation of the Administrator/Municipal Clerk and Township Attorney and rejects the bid received from Double “O” Rod & Gun Club on June 28, 2007 for hunting on the above Property because it contains a fatal defect that cannot be cured, and for all the reasons set forth above, effective immediately.
2. The Township Committee hereby accepts the recommendation of the Administrator/ Municipal Clerk and Township Attorney and accepts the bid of the second highest bidder, Bonehead Archery, in the amount of \$2,000.00 for hunting game on Block 25, Lots 19 & 20 (during the 2007-2008 hunting season.
3. The Administrator/Municipal Clerk is authorized to notify all those who bid on the Property of this decision.

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

• **Block 55, Lot 13.51 (Pinebank Road)**

A MOTION was made by Mr. Gatti to award the bid for hunting on Block 55, Lot 13.51 (Pinebank Road) to the 7 Point Pines Club for \$2,669.00, 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 - Awarding of Maintenance & Repair Bids

A MOTION was made by Mr. Gatti to award the Maintenance & Repair Bids as follows:

Contract Negotiations - Awarding of Maintenance & Repair Bids – continued:

SCHEDULE OF LOW BIDDERS - 2007 MAINTENANCE & REPAIR MATERIALS

ITEM	DESCRIPTION	MODE	QUANTITY	UNIT	SUCCESSFUL BIDDER 2007	UNIT PRICE
1a	3/4" ROAD STONE	DEL	1,500	TON	Stavola	\$11.75
1b	3/4" ROAD STONE	FOB	1,500	TON	Stavola	\$7.00
2a	3/4" CLEAN STONE	DEL	1,500	TON	Stavola	\$13.25
2b	3/4" CLEAN STONE	FOB	1,500	TON	Stavola	\$8.50
3a	1-1/2" CLEAN STONE	DEL	200	TON	Stavola	\$12.75
3b	1-1/2" CLEAN STONE	FOB	200	TON	Stavola	\$8.00
4	CORE STONE	DEL	500	TON	Stavola	\$15.00
5	no. 9 (1/4") STONE OR SANDING GRITS	DEL	500	TON	Trap Rock	\$15.00
6	SCREENINGS	DEL	500	TON	Stavola	\$11.75
7	SAND - COARSE	DEL	100	TON	Weldon	\$24.00
8	LIQUID CALCIUM CHLORIDE	FDA	20,000	GAL	James Reed Sales	\$0.94
9a	BITUMINOUS CONC., F.A.B.C., I-5	FDS	3,500	TON	Mannon Excavating & Paving	\$44.45
9b	BITUMINOUS CONC., F.A.B.C., I-5	FOB	3,500	TON	Stavola	\$39.00
10a	BITUMINOUS CONC., MABC, I-4	FDS	1,000	TON	Tilcon NY	\$54.90
10b	BITUMINOUS CONC., MABC, I-4	FOB	1,000	TON	Stavola	\$39.00
11a	BITUMINOUS CONC., STAB. BASE, I-2	FDS	700	TON	Mannon Excavating & Paving	\$43.45
11b	BITUMINOUS CONC., STAB. BASE, I-2	FOB	700	TON	Stavola	\$37.65
12a	BITUMINOUS CONC., FABC, I-5	DLC	1,000	TON	Mannon Excavating & Paving	\$65.00
12b	BITUMINOUS CONC., MABC, I-4	DLC	1,000	TON	Mannon Excavating & Paving	\$65.00
12c	BITUMINOUS CONC., STAB. BASE, I-2	DLC	1,000	TON	Mannon Excavating & Paving	\$65.00
13	HIGH PERFORMANCE COLD PATCH	FOB	50	TON	Weldon	\$77.00
14	STREET SWEEPING	FDA	150 mile	HOURLY	Apgar Power Sweeping	\$105.00
15a	JET-VAC SANITARY SEWER CLEANING	FDA	10	DAY (8HR)	Oswald Enterprises, Inc.	\$1,300.00
15b	JET-VAC DISPOSAL FEE OF SOLIDS			TON/CY	Oswald Enterprises, Inc.	\$150.00
16	TV INSPECTION OF SANITARY SEWER	FDA	6	DAY (8HR)	Oswald Enterprises, Inc.	\$1,500.00

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

Attorney-Client Privilege - Executive Session Minutes (July 2, 2007)

A **MOTION** was made by Mrs. Muir to approve the Executive Session Minutes from the meeting of July 2, 2007 for content. This motion was seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Litigation - Joanze LLC v. Twp. of Readington, et al.

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

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

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

CONSENT AGENDA:

- APPROVAL OF THE MINUTES** of meeting of July 2, 2007.
- Lyons/Block 52, Lot 1** - request for release of unused escrow funds (\$9.01).

CONSENT AGENDA:

3. ***Payment of the Bills.***

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND APPROPRIATION	001	\$ 545,727.92
SEWER APPROPRIATION	002	\$ 7.19
TRUST APPROPRIATION	003	\$ 11,339.50
CAPITAL APPROPRIATIONS	004	\$ 14,070.10
MISC REFUND, COUNTY TAX, LIENS	005	\$ 1,115,283.42
PAYROLL DEDUCTIONS	006	\$ 187,661.92
REGIONAL AND LOCAL SCHOOL TAX	007	\$ 2,459,746.88
 TOTAL OF ALL FUNDS:		 \$ 4,333,836.93

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

PUBLIC HEARING:

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

Clerk read by Title:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY PROHIBITING PARKING ALONG CODDINGTON AND RIDGE ROADS IN THE TOWNSHIP AND ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF

Ordinance #29-2007

Mayor Shamey said this ordinance prohibits parking along Coddington and Ridge Roads. Mayor Shamey said he thinks there needs to be discussion with DPW Director Scott Jesseman and Engineer McEldowney regarding the need for similar ordinances on other roads in the Township.

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

Mrs. Allen said this ordinance makes sense from a safety standpoint.

Mayor Shamey asked if there were any comments from the public.

Ms. Ingelore Krug said if a resident of Coddington or Ridge Road wants to have a garage sale potential customers could not park along the road.

Mrs. Muir said they could use their driveways.

Mayor Shamey said residents could also make application to the Police Department for temporary parking.

Mr. Ted Peters said there are other roads in the Township that should also be considered for this type of ordinance.

Mayor Shamey asked that Scott Jesseman, Engineer McEldowney and the Police Department provide the Committee with a list of roads where similar ordinances should be considered.

Ordinance #29-2007 – continued:

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

Clerk read by Title:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY PROHIBITING PARKING ALONG CODDINGTON AND RIDGE ROADS IN THE TOWNSHIP AND ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF

Ordinance #29-2007

A **MOTION** was made by Mrs. Allen to adopt 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

CORRESPONDENCE - OTHER INFORMATION:

1. Letter dated June 27, 2007 from Yacoub E. Yacoub, Bureau Chief, Northern Bureau of Field Operations, NJDEP, regarding ***Unrestricted Use No Further Action Letter & Covenant Not to Sue - Lachenmayr, Block 46.02, Lot 5.01***, noted for information. No action taken.

Mayor Shamey said that item #1 under New Business will be addressed at this time.

1. ***Upgrades to athletic fields at Holland Brook School*** – discussion.

Mayor Shamey referred to a letter received from Donald Thorton, Readington Board of Education Facilities Manager dated July 10, 2007 and addressed to Administrator Mekovetz. The Facilities Committee met with Recreation Director Greta Kenney and Scott Hulcher from the DPW to discuss upgrades to the Holland Brook School playing field due to the need for field space and a growing interest in the flag football program.

After a short discussion, A **MOTION** was made by Mrs. Muir authorizing a letter of agreement to be sent to the Board of Education for this project. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

OLD BUSINESS:

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

Mayor Shamey said he had nothing to report.

2. ***Hunterdon County Municipal Alliance*** – 2008 Renewal Application.

Administrator Mekovetz said this item has been discussed at previous Committee meetings. She has confirmed that there is no contribution required by the Township. It also provides a small grant to the Township.

A **MOTION** was made by Mrs. Muir to approve the Hunterdon County Municipal Alliance 2008 Renewal Application. This motion was 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

OLD BUSINESS – continued:

3. ***Spring Meadows Major Subdivision/Block 64, Lot 8*** - outstanding issues residents would like addressed by developer.

Mr. Joe Scotto and Mr. Joe Morris appeared before the Committee to voice the concerns of the residents, including the safety of their children in terms of the debris that has been left in the area, the condition of the pavement and the condition of the area surrounding the development. They are concerned that they are not seeing results based on their understanding when they appeared before the Committee on June 6th. He thought the debris was going to be cleaned up. He thought the Committee would be able to make the developer address the issues of concern.

Engineer McEldowney said Mr. D'Iorio has not refused to do anything. He only received the punch list at the end of June. He and his inspector will be meeting with Mr. D'Iorio to go over the punch list on Wednesday.

Engineer McEldowney said after Wednesday's meeting with Mr. D'Iorio he could issue a Memorandum of Understanding as to what the Township's expectations are. He said he will also try to get a time frame for the residents.

Mayor Shamey said that Mr. D'Iorio should be told that he has ten (10) days to remove the debris and mow or the Township will issue a nuisance violation.

A MOTION was made by Mrs. Allen to issue a nuisance violation if this issue is not addressed within the ten (10) days. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

NEW BUSINESS:

1. ***Upgrades to athletic fields at Holland Brook School*** – discussion.

This matter was addressed earlier in the meeting.

2. ***Stanton Place Subdivision Property Maintenance*** – discussion.

Mayor Shamey said he received a letter from Mr. Richard Niemiec expressing concerns about the condition of the roads and storm drains, required landscaping and generalized unsightly debris and abandoned properties in the Stanton Place subdivision.

Engineer McEldowney said his concerns are about the roadways in Sections II & III, principally Headquarters Road. This road received based paving several years ago and suffered a lot of damage during the construction of the houses. It will require total replacement of the road, which the developer has agreed to do.

Engineer McEldowney said several problems have been identified and have been included in a very detailed punch-list that was presented to the developer, Mark Hartman. Mr. Hartman met with Engineer McEldowney on Wednesday to review the plans for the necessary road improvements which will be completed during this construction season.

Mr. Richard Niemiec appeared before the Committee. He distributed photographs to the members of the Committee. He said there is a construction trailer with a live electrical line in it. There are piles of dirt and high weeds and he also expressed concern about a water run-off condition.

Mayor Shamey said he also received a letter from Katherine Manion Weinstock regarding the same issues. He asked that copies of these letters be provided to Engineer McEldowney.

Mrs. Muir left the meeting at this time.

NEW BUSINESS – continued:

3. **Ordinance accepting donation of utility truck from PSE&G for use by Whitehouse Fire Co. #1** – introduction.

The following Ordinance was offered for introduction:

**AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF A DONATION OF
UTILITY TRUCK BY PSE&G TO THE TOWNSHIP OF READINGTON FOR USE BY THE
WHITEHOUSE FIRE COMPANY**

Ordinance #30-2007

WHEREAS, PSE&G (hereinafter “PSE&G” or “the Company”) has donated to the Township of Readington, for use by the Whitehouse Fire Company, a used utility vehicle, which is known as “Vehicle #4552,” which is a 1992 Ford F350 that is no longer needed by PSE&G and was scheduled for auction by the Company; and

WHEREAS, the Whitehouse Fire Company is in need of a vehicle such as the one offered for donation because it would both serve as an incident command vehicle and allow for the quick transportation of items such as air bottles, “haz-mat” materials and tools, among other things, used by the fire company in responding to emergencies; and

WHEREAS, the Whitehouse Fire Company has received a request from the body department at Hunterdon County Polytech Career Academy (hereinafter “Hunterdon Polytech”) to work on a vehicle in need of refurbishment as an educational and training project for its students; the source of funds for this project is a federal grant which has been received under the “Learn and Serve America” program; and

WHEREAS, the vehicle in question is in need of refurbishment and Hunterdon Polytech has provided assurance that the project will be supervised by the school’s auto body instructor, Spencer Goldman, at no cost to the Township; and

WHEREAS, the project as described will benefit both the student and the community health and welfare, as it will allow the students to provide a service for a good cause and will allow the Township to obtain a needed firefighting vehicle at no cost which will provide emergency assistance to the citizens of Readington Township.

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

SECTION 1. In accordance with *N.J.S.A. 40A:12-5*, the Township of Readington does hereby accept the donation from PSE&G of used utility vehicle #4552, the 1992 Ford F350. Ownership of the vehicle shall be by the Township; however, it shall be earmarked for use by the Whitehouse Fire Company and prior to use shall be refurbished by the Hunterdon County Polytech Career Academy, at no cost to the Township and under the conditions described in the letters of January 2, 2006 from the Hunterdon County Polytech Career Academy.

SECTION 2. The Township acknowledges receipt of the vehicle, together with documents evidencing transfer of ownership to the Township and that title is marketable and free and of liens.

SECTION 3. SEVERABILITY

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

SECTION 4. EFFECTIVE DATE

This ordinance shall take effect immediately upon final adoption and publication according to law.

**Ordinance accepting donation of utility truck from PSE&G for use by Whitehouse Fire Co. #1
 – continued:**

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

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

Public Hearing was scheduled for Monday, August 6, 2007 at 8:00 p.m.

4. **Ordinance establishing 25 mph speed limits on Van Horne Road & Cornelius Lane – introduction.**

Attorney Dragan said Engineer McEldowney did research and determined that, due to the distance between the frontage of the various lots establishes the speed limit at 25 mph by State Statute. An ordinance is not necessary.

5. **2007 Salary Ordinance – introduction.**

The following Ordinance was offered for introduction:

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE
 READINGTON TOWNSHIP 2006 SALARY AND WAGE ORDINANCE, FOR OFFICERS
 AND EMPLOYEES OF READINGTON TOWNSHIP**

Ordinance #31-2007

BE IT ORDAINED by the Township Committee of the Township of Readington, in the County of Hunterdon, State of New Jersey, that the 2006 salaries and wages Ordinance be amended as follows:

	From	TO
<u>SECTION 1</u>		
<u>GOVERNING BODY AND SUPERVISORY PERSONNEL</u>		
MAYOR	per annum	\$7,728
TOWNSHIP COMMITTEE MEMBER	per annum	\$6,876
ADMINISTRATOR/MUNICIPAL CLERK/ DEPUTY REG. OF VITAL STATISTICS/TREASURER	per annum	\$128,288
Administrator	per annum	\$14,259
Clerk/Deputy Reg. of Vital Stat/Treasurer...	per annum	\$114,029
TAX COLLECTOR/TAX SEARCH OFFICER.(P/T-19 hrs.per wk)	per annum.	\$53,764
TAX ASSESSOR..(P/T/25/hrs per wk)	per annum.	\$57,918
CONSTRUCTION OFFICIAL	per annum.	\$75,348
COURT ADMINISTRATOR	per annum	\$39,590
LIBRARIAN	\$17,382	\$41,554
HOUSING COORDINATOR & ADM OF PUBLIC ASSIST	per annum	\$54,993
CHIEF OF POLICE	per annum	\$100,872
RECREATION DIR./CLEAN COMMUNITIES COORD.	per annum	\$60,922
Recreation Director -	per annum	\$58,922
Clean Communities Coordinator -	per annum	\$2,000
CHIEF FINANCIAL OFFICER	per annum	\$82,087
DIRECTOR OF PUBLIC WORKS	per annum	\$79,831
ROAD SUPERINTENDENT	per annum	\$68,487
DIRECTOR OF PUBLIC WORKS, BUILDINGS, GROUNDS & PARKS	per annum	\$87,800
ROAD SUPERINTENDENT, BUILDINGS, GROUNDS & PARKS	per annum	\$80,400
PLANNING & ZONING COORDINATOR/ SECRETARY TO ENVIRONMENTAL COMMISSION	per annum	\$60,859
Planning & Zoning Coordinator	per annum	\$56,574
Secretary to Environmental Commission	per annum	\$4,285
DIRECTOR BUILDINGS & GROUNDS/PARKS	per annum	\$68,298
FIRE OFFICIAL/ LAND USE ADMIN.	per annum	\$81,072

ASSISTANT MUNICIPAL TREASURER		per annum	\$43,000
SUPERVISOR OF ADMIN. SERVICES/ REGISTRAR	per annum	\$47,622	\$48,822
MUSEUM ADMINISTRATOR	per annum	\$1,200	\$43,524

SECTION 2
CLERICAL (CONFIDENTIAL) PERSONNEL

RECEPTIONIST/DOG LICENSE OFFICIAL	per annum..	\$27,540	\$28,575
SECRETARY TO TWP ADMINISTRATOR\DEPUTY REGISTRAR	per annum	\$29,835	\$32,132
DEPUTY MUNICIPAL CLERK/SEWER ADVISORY COMMITTEE SECRETARY	per annum	\$43,611	\$45,329
ADMINISTRATIVE ASSISTANT/RANK VI	per annum	\$36,150	\$51,513

SECTION 3
CLERICAL PERSONNEL

CLERK/TRANSCRIBER	per annum	\$28,618	\$35,169
OFFICE ASSISTANT	per annum	\$25,894	\$31,453
DEPUTY TAX COLLECTOR (40 HRS/WK)	per annum	\$37,789	\$53,752
ACCOUNTS PAYABLE CLERK	per annum	\$32,390	\$42,479
ADMINISTRATIVE ASSISTANT, TAX ASSESSOR	per annum	\$34,073	\$41,792
TECHNICAL ASSISTANT	per annum	\$37,789	\$45,871
DEPUTY COURT ADMINISTRATOR	per annum	\$33,902	\$42,226
FINANCIAL SECRETARY	per annum	\$37,049	\$42,751
FLOATER	per annum	\$31,755	\$37,406

SECTION 4
TECHNICAL PERSONNEL

SUB-CODE OFFICIAL PLUMBING & MECH (21 hours per week)	per hour		\$37.41
ELECTRICAL SUB-CODE OFFICIAL (21 hours per week)	per hour		\$31.00
BUILDING INSPECTOR	per annum		\$54,780
INSPECTOR (PART-TIME)	per hour	\$25.00	\$38.90
FIRE SUB-CODE OFFICIAL (21 hours per week)	per hour		\$38.39
FIRE INSPECTOR (PART-TIME)	per hour		\$26.85

SECTION 5
ROAD, UTILITY AND MAINTENANCE PERSONNEL
RATES FOR TITLES HELD LONGER THAN ONE YEAR:

DRIVER - LABORER 6	per hour		\$24.20
SR. DRIVER - LABORER 3	per hour		\$26.53
JR. MECHANIC	per hour		\$22.29
MECHANIC	per hour		\$28.42
SR. MECHANIC	per hour		\$31.18
CREW LEADER	per hour		\$30.15
OPERATOR	per hour		\$28.42
WORKING FOREMAN	per hour		\$32.89
SEWER OPERATORS:			
C-1 LICENSE (HOURLY ADDITIONS)	per hour		\$1.00
C-2 LICENSE (HOURLY ADDITIONS)	per hour		\$1.25

RATES FOR GRADES WITHIN TITLES:

LABORER - 1	per hour	\$17.55
LABORER - 2	per hour	\$18.28
DRIVER-LABORER - 1	per hour	\$19.02
DRIVER - LABORER - 2	per hour	\$19.75
DRIVER - LABORER - 3	per hour	\$20.48
DRIVER - LABORER - 4	per hour	\$21.21
DRIVER - LABORER - 5	per hour	\$21.94
DRIVER - LABORER - 6	per hour	\$22.67

SECTION 6

POLICE DEPARTMENT PERSONNEL

POLICE MATRON	per hour	\$7.15	\$31.00
SPECIAL POLICE OFFICER	per hour	\$12.61	\$23.04
PATROLMAN (FIRST YEAR) Certified/Probationary.	per annum		\$46,950
PATROLMAN (SECOND YEAR)	per annum		\$50,717
PATROLMAN (THIRD YEAR)	per annum		\$54,487
PATROLMAN (FOURTH YEAR)	per annum		\$58,256
PATROLMAN (FIFTH YEAR)	per annum		\$62,022
PATROLMAN (SIXTH YEAR)	per annum		\$64,903
PATROLMAN (SEVENTH YEAR)	per annum		\$68,962
PATROLMAN FIRST CLASS	per annum		\$73,015
CORPORAL	per annum		\$74,479
INVESTIGATOR - OVER GRADE	per annum		\$600
PROBATIONARY SERGEANT	per annum		\$76,460
SERGEANT'S BASE SALARY	per annum		\$80,617
SERGEANT FIRST CLASS	per annum		\$83,079
PROBATIONARY LIEUTENANT	per annum		\$83,579
LIEUTENANT	per annum		\$100,193

SECTION 7

PART-TIME PERSONNEL

MUNICIPAL JUDGE	per annum		\$29,035
SUBSTITUTE MUNICIPAL JUDGE	per hour		\$132.50
PUBLIC ASSISTANCE CASE WORKER/ FILING CLERK (33 hrs)	per annum		\$29,561
PART-TIME BOOKKEEPER	per hour		\$19.05
SCHOOL CROSSING GUARDS	per annum	\$3,441	\$14,277
LIBRARY ASSISTANT	per hour	\$7.97	\$15.32
COURT CLERK	per hour	\$16.81	\$19.27
EXERCISE PROGRAM COORDINATOR	per annum	\$5,769	\$6,602
EXERCISE PROGRAM INSTRUCTOR	per hour	\$12.74	\$30.00
KARATE INSTRUCTOR .	per student/per hour	\$7.15	\$7.42
TEEN ACTIVITIES SUPERVISOR	per hour	\$13.17	\$20.59
ASSIST. DIRECTOR OF RECREATION (25 hrs/wk)	per annum		\$25,127
EMERGENCY MANAGEMENT COORDINATOR	per annum		\$5,665
DEPUTY EMERGENCY MANAGEMENT COORD.	per annum		\$1,000
PART-TIME PLANNING BOARD CLERK	per hour		\$14.53

SECTION 8

SUMMER RECREATION PERSONNEL

DIRECTOR OF SUMMER RECREATION	per annum		\$10,580
SUPERVISOR & ASS'T SUP'V SUMMER PROG	per hour	\$7.94	\$15.87
SUMMER PROG. & SPECIAL PROG. COUNSELOR	per hour	\$8.00	\$11.34
BUS DRIVERS	per hour	\$8.32	\$16.00
CONCESSION STAND ATTENDANT	per hour	\$7.15	\$9.10
SUMMER PUBLIC FACILITIES MAINT. LABORER	per hour	\$7.15	\$12.89

SECTION 9
BUILDINGS, MAINTENANCE AND RECYCLING

PUBLIC FACILITIES MAINTENANCE LABORER	per hour	\$14.99	\$25.67
PART TIME PUBLIC FACILITIES MAINT LABORER	per hour		\$9.28
HOUSE KEEPER	per hour		\$11.47
RECYCLING WORKER	per hour		\$18.63

SECTION 10

Rates of compensation provided herein are retroactive to January 1, 2007.

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

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

Public Hearing was scheduled for Monday, August 6, 2007 at 8:00 p.m.

6. *Lyons/Block 52, Lot 1* - request for release of unused escrow funds (\$9.01).

This item was addressed under the Consent Agenda.

Mayor Shamey said the following item was removed from the Executive Session Agenda and added to New Business:

Block 60, Lot 12 (Luberto)

The following Ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF A STREAM CORRIDOR PROTECTION EASEMENT ON A PORTION OF BLOCK 60, LOT 12 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM WILLIAM F. AND KATHERINE LUBERTO

Ordinance #32-2007

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

SECTION 1. The Township of Readington shall accept a stream corridor protection easement ("Easement") on a portion of property known as Block 60, Lot 12 in the Township of Readington, which has been dedicated on the aforesaid property by the grantors, William F. Luberto and Katherine Luberto, pursuant to a minor subdivision approval granted by the Readington Township Planning Board in Resolution #2006-198, memorialized on July 10, 2006, which approval has been extended. The purpose of the Easement is to ensure that the area covered by the Easement will remain in its natural and existing state in perpetuity, except for grantor's ability to maintain and/or repair the existing improvements and structures on the property, as stated in the Easement document. There is no public right of use, access, or title to Readington Township created by this Easement; it is subject to limited access by Readington Township only for the purposes of inspection and enforcement. The aforesaid Easement is also on file in the office of the Readington Township Clerk, at the Readington Township Municipal Building, 509 Route 523, Whitehouse Station, N.J.

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

Block 60, Lot 12 (Luberto) – continued:

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

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

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

Public Hearing was scheduled for Monday, August 6, 2007 at 8:00 p.m.

ADMINISTRATOR'S REPORT:

Written report submitted.

Administrator Mekovetz said she received a memo from Recreation Director Greta Kenney stating that the Recreation Department sponsored a new flag football program in 2006. A total of 80 children participated. There were four (4) teams of 1st and 2nd graders and four teams of 3rd and 4th graders. They practiced and played all of their games at the Three Bridges School field. The fall 2007 program has been expanded to include 5th and 6th graders and due to the programs growth they are currently out of space.

In addition, the Recreation Committee was approached at their June 28th by residents requesting that a youth lacrosse program be started. This fall the Recreation Department will be hosting coach's and player's clinics conducted by the Hunterdon Central varsity boys and girls coaches. However, they are struggling to find space for the program and are requesting that the unused portion of the Summer Road park be used for this program.

At the time it was constructed there were discussions with the residents that live behind the park and it was agreed that the current layout would be the end result. Ms. Kenney is asking if there would be consideration to approach the residents again to determine if they still feel the same about the field not being utilized.

Mrs. Allen said there is a berm with trees planted on top of it behind this field.

All agreed that the Recreation Committee should send a letter to surrounding property owners and to report back to the Committee with the response.

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

ATTORNEY'S REPORT:

Written report submitted.

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

ENGINEER'S REPORT:

Written report submitted.

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

COMMITTEE REPORTS:

1. Gerard Shamey:

Mayor Shamey said CNNmoney.com conducted a study to determine the top 100 places to live in the United States. Readington Township was listed as #58.

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

COMMITTEE REPORTS – continued:

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 had nothing further to report at this time.

5. Beatrice Muir:

As Mrs. Muir was not in attendance, no report was given.

COMMENTS FROM THE PUBLIC:

Mayor Shamey asked for comments from the public.

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 9:55 p.m., seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC\RPPO
Administrator\Municipal Clerk