

**READINGTON TOWNSHIP COMMITTEE  
MEETING – SEPTEMBER 4, 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, Deputy Mayor T. Auriemma, Mrs. J. Allen, Mr. F. Gatti and Mrs. B. Muir

**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**

<b><u>Subject Matter</u></b>	<b><u>Basis of Public Exclusion</u></b>	<b><i>Date Anticipated When Discussion Will Be Disclosed to Public</i></b>
Police Department.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Borough of Lebanon.....	Contract Negotiations.....	" " "
HCADB - Block 64, Lot 29 (Chesla).....	Contract Negotiations.....	" " "
Block 96, Lot 18 (D’Urso-Auction Contract)....	Contract Negotiations.....	" " "
Block 53, Lot 5 (Holland Brook Realty).....	Contract Negotiations.....	" " "
Block 15, Lot 7.01 (NJDOT).....	Contract Negotiations.....	" " "
AT&T.....	Contract Negotiations.....	" " "
East Whitehouse Fire Truck.....	Contract Negotiations.....	" " "
Three Bridges Fire Truck.....	Contract Negotiations.....	" " "
Awarding of Hunting Bid – Block 80, Lots 1 & 2.....	Contract Negotiations.....	" " "
Executive Session Minutes (August 6, 2007)....	Attorney-Client Privilege.....	" " "
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.....	" " "
Wilmark Building Contractors, Inc. v. Township of Readington.....	Litigation.....	" " "
Attorney-Client Privilege .....	Potential Litigation.....	" " "

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

***EXECUTIVE SESSION RESOLUTION – continued:***

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

The meeting reconvened at 8:00 p.m.

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

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

***Personnel - Police Department***

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

***Contract Negotiations - Borough of Lebanon***

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

***Contract Negotiations - HCADB - Block 64, Lot 29 (Chesla)***

A **MOTION** was made by Mrs. Allen to approve the contract for the sale of the Development Rights Easement on Block 64, Lot 29 (Chesla) to Hunterdon County. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

The following Ordinance was offered for introduction:

***AN ORDINANCE AUTHORIZING THE CONVEYANCE OF AN AGRICULTURAL DEVELOPMENT RIGHTS EASEMENT ON PROPERTY KNOWN AS BLOCK 64, LOT 29 TO THE COUNTY OF HUNTERDON FOR FARMLAND PRESERVATION***

**Ordinance #34-2007**

**WHEREAS**, the Township of Readington (“Township”), holds an agricultural development rights easement on property known as Block 64, Lot 29, in the Township of Readington, consisting of approximately 42 +/- acres along Barley Sheaf Road, (hereinafter “Property”) which was purchased with the intention of preserving it for farmland purposes and enrolling it in the appropriate Hunterdon County Agricultural Development program; and

**WHEREAS**, the property qualified for enrollment in the Hunterdon County Agricultural Development farmland preservation program through a Traditional Program and the Township received a contract from the County of Hunterdon to purchase an agricultural development rights easement from the Township on 42+/- acres of the Property, together with a Restrictive Covenant pertaining to mowing/maintenance rights at a purchase price of \$18,500.00 per acre, for an estimated total of \$777,000.00, subject to adjustment for the required Municipal contribution and any survey/right-of-way adjustments and with payment to be made to the Township in annual installments (as to the County’s portion); and

**WHEREAS**, the sale of the Easement and restrictive covenant to the County of Hunterdon for farmland preservation purposes will result in preservation of the property for the same goals and purposes as purchased by the Township so that it is not necessary for the Township to hold title to the easement on behalf of the public; said sale shall further result in funding to the Township which can be used, in turn, to acquire other easements and property for farmland preservation purposes; and

**Block 64, Lot 29 (Chesla) – continued:**

**WHEREAS**, the conveyance of the Easement and restrictive covenants to the County of Hunterdon under the Agriculture Development and Retention Act and County of Hunterdon Agricultural Development Grant Program will result in the preservation of the properties for agricultural purposes by the Township under its farmland preservation program; and

**WHEREAS**, the Township is permitted to sell the Easement under *N.J.S.A. 4:1C-11 et seq.*, 4:1C-34, 4:1C-43.1, *N.J.S.A. 40A:12-13 et seq.* and any other applicable law.

**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.** The Township of Readington shall convey to the County of Hunterdon a Development Rights Easement and a Restrictive Covenant pertaining to mowing rights on Block 64, Lot 29 in the Township of Readington, County of Hunterdon and State of New Jersey, which easement shall pertain to approximately 42 +/- acres of the Property for the price of \$18,500.00 per acre and an approximate total price of \$777,000.00, subject to adjustments for the Municipal cost share, survey adjustments or any other adjustments required by the Agriculture Development and Retention Act and regulations pertinent thereto, to be paid in annual installments (as to the County's portion), in accordance with the contract on file with the Township Clerk.

**SECTION 2.** On behalf of the Township Committee of the Township of Readington, the Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as appropriate, are authorized to prepare and sign any and all documentation necessary to effectuate the sale of the Agricultural Development Rights Easement and/or assignment to the County of Hunterdon, including a Restrictive Covenant regarding mowing, together with any other documents or corrective documents required by the County.

**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 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.

**SECTION 4. EFFECTIVE DATE.**

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

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

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

**Contract Negotiations - Block 96, Lot 18 (D'Urso - Auction Contract)**

A **MOTION** was made by Mrs. Allen to approve the form of the auction contract, as amended, for Block 96, Lot 18 (D'Urso). This motion was seconded by Mrs. Muir and on Roll Call vote

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

***Contract Negotiations - Block 53, Lot 5 (Holland Brook Realty)***

A **MOTION** was made by Mrs. Allen to approve the contract for Block 53, Lot 5 (Holland Brook Realty). This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

***Contract Negotiations - Block 15, Lot 7.01 (NJDOT)***

A **MOTION** was made by Mr. Auriemma to send a letter to the NJDOT stating that the Township Committee is not interested in purchasing Block 15, Lot 7.01 (.219 acres). This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

***Contract Negotiations - AT&T***

A **MOTION** was made by Mrs. Allen to approve the partial release of the easement of agreement with AT&T on property adjacent to the Lake Cushetunk Woods walkway. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

***Contract Negotiations - East Whitehouse Fire Truck***

A **MOTION** was made by Mr. Auriemma to approve the contract in the amount of \$479,498.00 with Pierce Manufacturing for one (1) New, Unused Triple Combination Pumper with an aluminum body for the East Whitehouse Volunteer Fire Company. This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

***Contract Negotiations - Three Bridges Fire Truck***

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

***Contract Negotiations - Awarding of Hunting Bid - Block 80, Lots 1 & 2***

Mayor Shamey said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

***Attorney-Client Privilege - Executive Session Minutes (August 6, 2007)***

Mayor Shamey said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

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

Mayor Shamey said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

***Litigation - Wilmark Building Contractors, Inc. v. Township of Readington***

Mayor Shamey said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

***Attorney-Client Privilege - Potential Litigation***

Mayor Shamey said this item will be discussed when the Committee returns to Executive Session at the conclusion of the regular meeting.

**CONSENT AGENDA:**

1. ***APPROVAL OF THE MINUTES*** of meeting of August 6, 2007.
2. ***Reclamation of Kingston, LLC*** – change order #1 (-\$16,133.20).
3. ***Reclamation of Kingston, LLC*** – payment #1 (\$80,160.10).
4. ***DeMaio Electrical Company, Inc./Three Bridges Pump Station*** – payment #5 (\$33,488.00).
5. ***Resolution Authorizing State Contract Purchase*** – Road Microsurfacing Type II - Residential.

**TOWNSHIP OF READINGTON  
RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE  
R-2007-107**

**WHEREAS**, the Township of Readington wishes to purchase Road Microsurfacing Type II - Residential from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, *N.J.S.A. 40A:11-12*; and

**WHEREAS**, Asphalt Paving Systems, Inc., P.O. Box 530, Hammonton, NJ 08037 has been awarded New Jersey State Solicitation Number 39204 Road Microsurfacing Type II - Residential for the period April 1, 2007 to March 31, 2008; and

**WHEREAS**, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

**WHEREAS**, the actual cost for the purchase of Road Microsurfacing Type II - Residential is expected not to exceed \$37,737.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Asphalt Paving Systems, Inc. be awarded a contract for Road Microsurfacing Type II - Residential; and

**BE IT FURTHER RESOLVED**, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

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

6. ***Resolution Authorizing Morris County Cooperative Purchase*** – Road Resurfacing.

**TOWNSHIP OF READINGTON  
RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE PURCHASES  
R-2007-108**

**CONSENT AGENDA – continued:**

**WHEREAS**, the Township of Readington wishes to purchase road resurfacing materials from an authorized vendor under the Morris County Cooperative Purchasing Program; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, *N.J.S.A. 40A:11-12*; and

**WHEREAS**, Tilcon New York, Inc., 625 Mt. Hope Road, Wharton, NJ, 07885 has been awarded Morris County Cooperative Contract No. #6 for road resurfacing materials for the period one (1) year; and

**WHEREAS**, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Tilcon New York, Inc. be awarded a contract for road resurfacing materials; and

**BE IT FURTHER RESOLVED**, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

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

7. **Anderson House** – reimbursement of permit fees for 2007 Seafood Festival (\$505.00).
8. **Fry/Block 46, Lot 5.04** - request for release of unused escrow funds (\$295.94).
9. **Application for Social Affair Permit** – St. Elizabeth Ann Seton Church (Oct. 6, 2007).
10. **Lien Redemption** – resolutions.

**READINGTON TOWNSHIP  
HUNTERDON COUNTY, STATE OF NEW JERSEY  
RESOLUTION**

**WHEREAS**, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 47, Lot 2 know as Tax Sale Certificate #506; and

**WHEREAS**, it is the desire of the Tax Collector to refund to the lien holder the redemption amount.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$29,760.47 plus a premium paid in the amount of \$19,000.00 to the lien holder, Crusader Servicing Corp.

**READINGTON TOWNSHIP  
HUNTERDON COUNTY, STATE OF NEW JERSEY  
RESOLUTION**

**WHEREAS**, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 95, Lot 2; and

**WHEREAS**, it is the desire of the Tax Collector to refund to the lien holder the redemption amount.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$29,872.24 known as Tax Sale Certificate #522, plus a premium paid in the amount of \$17,000.00 to the lien holder, Wachovia-Coll Agt/SASS Muni V dtr.

**CONSENT AGENDA – continued:**

11. **Tax Refund** – resolution.

**READINGTON TOWNSHIP  
 HUNTERDON COUNTY, STATE OF NEW JERSEY  
 RESOLUTION**

**WHEREAS**, it has been determined that the property owner of Block 95, Lot 12.190 is a permanently disabled vet and therefore is tax exempt as of June 19, 2001.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee, that the Tax Collector be authorized to cancel 2007 taxes in the amount of \$3,993.96.

12. **Payment of the Bills.**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND APPROPRIATION	001	\$ 3,025,597.04
SEWER APPROPRIATION	002	\$ 141,325.97
TRUST APPROPRIATION	003	\$ 31,779.98
CAPITAL APPROPRIATIONS	004	\$ 96,168.75
MISC REFUND, COUNTY TAX, LIENS	005	\$ 40,434,319.28
PAYROLL DEDUCTIONS	006	\$ 452,875.17
REGIONAL AND LOCAL SCHOOL TAX	007	\$ 5,384,560.48
TOTAL OF ALL FUNDS:		\$ 49,566,626.65

13. **Municipal Court & Violations Bureau Report** for July, 2007.

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

Mrs. Allen	-	Aye
Mr. Auriemma	-	Aye
Mr. Gatti	-	Aye
Mrs. Muir	-	Aye (except for minutes of August 6, 2007 as she was not in attendance)
Mayor Shamey	-	Aye

**CORRESPONDENCE/OTHER INFORMATION:**

1. Memorandum dated August 30, 2007 from Denise B. Doolan, Clerk, Hunterdon County Board of Chosen Freeholders, regarding **adoption of a Resolution supporting the creation of a new school funding formula that preserves per pupil county vocational aid to support the additional cost of hands-on technical programs**, noted for information. No action taken.
2. Letter dated August 29, 2007 from Jennifer L. Wolaver, Conservation Project Coordinator, New Jersey Audubon Society, regarding **resolution in support of the Green Acres, Farmland, Blue Acres, Historic Preservation Bond Act of 2007**, noted for information. No action taken.
3. Notice of Public Hearing for **the proposed FFY2008 Priority System, Intended Use Plan & Project Priority List Document for Clean Water Financing**, noted for information. No action taken.
4. Letter dated September 7, 2007 from Judith Sullivan, Municipal Clerk, Twp. of Bedminster, regarding **adoption of Ordinance #2007-16, an ordinance to authorize the adoption of flood damage prevention regulations designed to promote public health, safety and general welfare for the residents of Bedminster Township**, noted for information. No action taken.

**CORRESPONDENCE/OTHER INFORMATION – continued:**

5. Resolution from the Township of East Amwell Township *supporting the continued funding of the PARIS Grants Program in accordance with P.L. 2003, Chapter 117, Sections 38 & 39*, noted for information. No action taken.
6. Resolution from the Township of East Amwell Township *in support of legislation to amend Abbott-Burke funding to streamline administration of a more thorough & efficient education throughout New Jersey*, noted for information. No action taken.
7. Resolution from the Township of West Amwell Township *in opposition to Assembly Bill A-4393 which would require contracting units requesting bids for construction projects to advertise their projected cost estimate range & to publicly state reasons for rejecting all correctly submitted bids in cases where law provides criteria for rejection of all bids*, noted for information. No action taken.
8. Letter dated August 31, 2007 from Eugene Back, P.E., Gladstone Design, regarding *Application NJDEP Freshwater Wetland Statewide General Permit No. 11 – Fox Hollow II, Block 5.11, Lot 2.01, Branchburg Township*, noted for information. No action taken.
9. Notices from Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas Company, regarding *petition to revise its Basic Gas Supply Service – Periodic (“BGSS-P”) rate*, noted for information. No action taken.
10. Letter dated August 30, 2007 from Michael J. Filippone, Director, Rates & Regulatory Affairs-NJ, regarding *JCP&L’s annual proposal for Basic General Service*, noted for information. No action taken.

**Continuation of Public Hearing:**

As it was after 8:00 p.m., *A MOTION* was made by Mr. Auriemma to adjourn the regular meeting to hold a Public Hearing. This motion was seconded by Mrs. Allen 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 #33-2007**

Mayor Shamey said this ordinance prohibits parking on Coddington and Ridge Roads.

Mayor Shamey asked if there were any comments from the Governing Body. There were none.

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

Mr. David Simpson spoke in opposition to this ordinance. He said he feels it is being adopted specifically in response to the proposed Hindu Temple. He said he spoke to the Police Department and was told there are no safety concerns on either road with regard to these two (2) roads.

Mayor Shamey asked if this ordinance was reviewed by the Police Department.

Attorney Dragan said because this ordinance prohibits parking along the entire length of these roads there isn't a need to develop a traffic plan.

Mr. Gatti said if the homeowners along these roads had concerns they have been given two (2) opportunities to speak regarding the ordinance.

**Continuation of Public Hearing – continued:**

Mr. Ted Peters spoke in favor of this ordinance. Cars parked on the pavement become more of a hazard when traffic increases. He also suggested that the Committee consider a similar ordinance on County Line Road.

Ms. Ingelore Krug said there are really deep ditches on Coddington Road so she does not see how cars could park on the side of the road.

Mayor Shamey said there are numerous other roads that are similar in nature including School Road, County Line Road and Kosciuszko Roads as they are feeder roads to Route 22. He suggested that the ordinance be forwarded to the Police Department for their review and comment.

After a short discussion, **A MOTION** was made by Mrs. Allen to continue this public hearing until the September 17, 2007 Committee meeting. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

**OLD BUSINESS:**

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

Mayor Shamey said he had nothing to report.

**NEW BUSINESS:**

1. ***Green Acres Grants & Loans for land acquisition and the development of outdoor parks and recreational facilities.***

Mayor Shamey said a letter was received from John Flynn, Green Acres Administrator, indicating that Green Acres Grants and Loans are still available to municipalities and counties and stating that applications will be accepted until October 26, 2007.

**A MOTION** was made by Mrs. Allen to send a letter stating that the Township would like to apply for additional Green Acres funding for FY2008. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

2. ***NJDOT*** – request for Noise Ordinance waiver.

Mayor Shamey said this is a request for a noise ordinance waiver for NJDOT repair work on Route 202.

**A MOTION** was made by Mrs. Muir to approve the NJDOT's request for a waiver of the Readington Township Noise Ordinance for repair work on Route 202. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

3. ***Wal-Mart Stores, Inc.*** – request for release of Maintenance Bond.

Action on this item was deferred until the next meeting.

**NEW BUSINESS – continued:**

4. **URB-FI Corp.** – request for one (1) year extension of Treatment Works Approval No. 04-0350.

Administrator Mekovetz said the Committee approved a similar request last year for five (5) years, however the NJDEP only approves the extension for one (1) year at a time.

Engineer McEldowney said the Township must request this extension as the permit holder.

**A MOTION** was made by Mrs. Allen to approve the request for a one (1) year extension of the Treatment Works Approval No. 04-0350 (WRB-FI Corp.). This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

5. **Three Bridges Fire Company** - request for permission to hold coin toss (September 8, 2007).

**A MOTION** was made by Mrs. Allen to approve the request for Three Bridges Fire Company to hold a coin toss on September 8, 2007, contingent on their provision to monitor traffic and cease collecting money if traffic begins to back up. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

6. **DeMaio Electrical Company, Inc./Three Bridges Pump Station** – acceptance of Maintenance Bond.

**A MOTION** was made by Mrs. Muir to accept Maintenance Bond #3915380 in the amount of \$36,445.46 for DeMaio Electrical Co., Inc. seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

7. **DeMaio Electrical Company, Inc./Three Bridges Pump Station** – request for release of Performance Bond.

**A MOTION** was made by Mrs. Allen to approve the request for the release of Performance Bond #3915380 for DeMaio Electrical Co., Inc., seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

8. **Reclamation of Kingston, LLC** – acceptance of Maintenance Bond.

**A MOTION** was made by Mrs. Muir to accept the Maintenance Bond in the amount of \$96,293.00 for Reclamation of Kingston LLC, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

9. **Reclamation of Kingston, LLC** – change order #1 (-\$16,133.20).

This item was addressed under the Consent Agenda.

**NEW BUSINESS – continued:**

10. **Reclamation of Kingston, LLC** – payment #1 (\$80,160.10).

This item was addressed under the Consent Agenda.

11. **DeMaio Electrical Company, Inc./Three Bridges Pump Station** – payment #5 (\$33,488.00).

This item was addressed under the Consent Agenda.

12. **Resolution Authorizing State Contract Purchase** – Road Microsurfacing Type II - Residential.

This item was addressed under the Consent Agenda.

13. **Resolution Authorizing Morris County Cooperative Purchase** – Road Resurfacing.

This item was addressed under the Consent Agenda.

14. **Anderson House** – reimbursement of permit fees for 2007 Seafood Festival.

This item was addressed under the Consent Agenda.

15. **Fry/Block 46, Lot 5.04** - request for release of unused escrow funds (\$295.94).

This item was addressed under the Consent Agenda.

16. **Application for Social Affair Permit** – St. Elizabeth Ann Seton Church (Oct. 6, 2007).

This item was addressed under the Consent Agenda.

**ADMINISTRATOR'S REPORT:**

Written report submitted.

Administrator Mekovetz said the Township had applied to the County for a Municipal Grant for funding of the restoration of the Ann Reno Barn on the Lomar property. At the time the application was made the estimated cost was approximately \$75,000. Kevin Richardson from the County has advised that there are additional funds in the Township's account. Those funds will probably be needed to complete the project. She asked if the Committee would like to apply for the additional funds in the amount of approximately \$11,900.

**A MOTION** was made by Mrs. Allen to apply for the additional funds in the amount of approximately \$11,900 for the restoration of the Ann Reno Barn on the Lomar property. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

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

**ATTORNEY'S REPORT:**

Written report submitted.

Attorney Dragan said the closing with Hunterdon County on the Ilva Saronno property is scheduled for September 19<sup>th</sup>. She asked that the Committee authorize Mrs. Allen to execute a Survey Affidavit for the closing on Block 80, Lots 1 & 2.

**ATTORNEY'S REPORT – continued:**

The following resolution was offered for consideration:

**TOWNSHIP OF READINGTON  
RESOLUTION  
R-2007-109**

**BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Readington as follows:

1. Julia C. Allen is a member of the Readington Township Committee and serves as its Liaison for Farmland/Open Space Preservation and Land Projects. In her capacity as the aforementioned liaison, she is familiar with the various properties the Township has purchased agricultural development rights easements on. She has inspected the premises known as Block 80, Lots 1 & 2 in the Township, in conjunction with the Assignment of the Agricultural Development Rights Easement to the County of Hunterdon, and is hereby authorized on behalf of the Township Committee to execute a Survey Affidavit in conjunction with the closing of the agricultural development rights easement to the County.
2. This Resolution shall take effect immediately.

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

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

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

**ENGINEER'S REPORT:**

Written report submitted.

Engineer McEldowney said the County is planning improvements to Main Street in Whitehouse Station which will include upgrading of storm drainage inlets and milling and replacing of pavement. There is a meeting scheduled tomorrow at 1:00 p.m. here at the Municipal Building to review the County plans. He will attend along with Scott Jesseman and a representative from the Police Department. He will update the Committee at the next meeting.

Mayor Shamey asked if there are any funding programs for the improvements of Main Street such as brick pavers and Victorian lamps.

Engineer McEldowney said he will look into this type of funding.

Engineer McEldowney said there has been progress with the clean-up of the Spring Meadows development. The paving should begin within the next two (2) weeks, but there are still a few issues that need to be addressed.

Engineer McEldowney said Wilmark Developers is in the process of making extensive road repairs in the Stanton Place development.

Engineer McEldowney said Township resident Mr. Kylie has expressed concern about a drainage ditch/swale on his property. Engineer McEldowney said he inspected the site last year. He will arrange to meet with Scott Jesseman at Mr. Kylie's property to see what can be done to address these concerns.

***ENGINEER'S REPORT – continued:***

Mr. Kylie appeared before the Committee. He said he never had a drainage problem until the school was constructed.

Engineer McEldowney said he will contact Mayor Shamey after his meeting at Mr. Kylie's property.

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

***COMMITTEE REPORTS:***

**1. Gerard Shamey:**

Mayor Shamey said he attended a Rotary Luncheon today at which the park bench at the Whitehouse Station Library was dedicated to the citizens of Readington Township. They presented him with a plaque and asked that it be hung in the library.

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

**2. Julia Allen:**

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

**3. Thomas Auriemma:**

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

**4. Frank Gatti:**

**a. Finance Department**

**1. *Lien Redemption* – resolution.**

This item was addressed under the Consent Agenda.

**2. *Tax Refund* – resolution.**

This item was addressed under the Consent Agenda.

**3. *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:**

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

**COMMENTS FROM THE PUBLIC:**

Mayor Shamey asked for comments from the public.

Ms. Ingelore Krug presented the Committee with photos of loads of dirt that was dumped by Genesis Developers that changed the topography on Lots #1 and #2 and that will create run-off problems.

Engineer McEldowney said an inspector from his office was at the site today. Genesis brought in top soil material from off-site and had received approval from the County.

Mrs. Muir suggested that a letter be sent to Genesis stating that these concerns have been brought to the Committee's attention and that any run-off problems will be vigorously pursued by the Township.

**COMMENTS FROM THE PUBLIC – continued:**

Ms. Krug said Genesis Developers also has not complied with the conservation fencing easement requirements.

Engineer McEldowney will look into this matter.

Mr. Jerry Cook asked about the status of the installation of an exit only sign at the Station Center Mall.

Engineer McEldowney said he will make a site visit with a representative from the Police Department and will provide the Committee with a recommendation.

**COMMENTS FROM THE GOVERNING BODY:**

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

***EXECUTIVE SESSION:***

Clerk read the following Resolution:

***RESOLUTION***  
**EXECUTIVE SESSION**

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

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

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

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

**EXHIBIT A**

<b><u>Subject Matter</u></b>	<b><u>Basis of Public Exclusion</u></b>	<b><u>Date Anticipated When Discussion Will Be Disclosed to Public</u></b>
Awarding of Hunting Bid – Block 80, Lots 1 & 2.....	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Executive Session Minutes (August 6, 2007)....	Attorney-Client Privilege.....	" " "
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.....	" " "
Wilmark Building Contractors, Inc. v. Township of Readington.....	Litigation.....	" " "
Attorney-Client Privilege .....	Potential 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 9:15 p.m. by Mr. Auriemma to adopt this Resolution, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

The meeting reconvened at 10:05 p.m.

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

***Contract Negotiations - Awarding of Hunting Bid - Block 80, Lots 1 & 2***

A **MOTION** was made by Mrs. Muir to award the bid for hunting on Block 80, Lots 1 & 2 (River Avenue) to the Double “O” Rod & Gun Club for \$4,100.00, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

***Attorney-Client Privilege - Executive Session Minutes (August 6, 2007)***

A **MOTION** was made by Mr. Auriemma to approve the Executive Session Minutes from the meeting of August 6, 2007 for content. This motion was seconded by Mrs. Allen with a vote of ayes all, nays none recorded. Mrs. Muir abstained from this vote as she was not in attendance at the August 6, 2007.

***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.

***Litigation - Wilmark Building Contractors, Inc. v. Township of Readington***

A **MOTION** was made by Mrs. Allen to authorize Richard Cushing, Esq. to file a Notice of Appeal in the Wilmark Building Contractors, Inc. v. Township of Readington litigation. This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

***Attorney-Client Privilege - Potential Litigation***

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

***ADJOURNMENT***

As there was no further business, a motion was made by Mrs. Muir at 10:10 p.m., seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Respectfully Submitted:

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