

**READINGTON TOWNSHIP COMMITTEE
MEETING – SEPTEMBER 5, 2006**

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 Shamey, Deputy Mayor Auriemma, Mrs. J. Allen, Mr. F. Gatti and Mrs. B. Muir

ALSO PRESENT: Attorney Dragan, Administrator Mekovetz and Engineer McEldowney

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

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

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

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

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

EXHIBIT A

<u>Subject Matter</u>	<u>Basis of Public Exclusion</u>	<u>Date Anticipated When Discussion Will Be Disclosed to Public</u>
DPW	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Municipal Court.....	Personnel.....	" " "
Block 36, Lots 93, 94 & 95 (Country Classics Legacy at Readington – Developer’s Agt.).....	Contract Negotiations.....	" " "
Block 39, Lot 14.02 (Readington Twp.).....	Contract Negotiations.....	" " "
Block 15, Lot 4 (Arnaudy).....	Contract Negotiations.....	" " "
Block 39, Lot 14 (Cuchiaro).....	Contract Negotiations.....	" " "
Awarding of Hunting Bids.....	Contract Negotiations.....	" " "
Professional Services.....	Contract Negotiations.....	" " "
Twp. of Readington v. General Star Insurance Company & Summit Risk Services.....	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).....	Contract Negotiations.....	" " "
Police Department.....	Personnel.....	" " "
Housing & Social Services.....	Personnel.....	" " "
Bedminster - Lamington Hospitality.....	Contract Negotiations.....	" " "

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

EXECUTIVE SESSION RESOLUTION – continued:

3. This Resolution shall take effect immediately.

A ***MOTION*** was made at 6:30 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 8:15 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 - DPW

A ***MOTION*** was made by Mr. Gatti to promote George Mayer to the position of Operator at the contract rate. This motion seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Personnel – Code Enforcement

A ***MOTION*** was made by Mrs. Muir to hire Wendy McCrea as a Clerk Typist in the Code Enforcement office at a starting salary of \$24,958. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Contract Negotiations - Block 36, Lots 93, 94 & 95 (Country Classics Legacy at Readington – Developer’s Agreement)

A ***MOTION*** was made by Mrs. Muir to approve the Developer’s Agreement for Block 36, Lots 93, 94 & 95 (Country Classics Legacy at Readington). This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Contract Negotiations - Block 39, Lot 14.02 (Readington Township)

A ***MOTION*** was made by Mr. Auriemma to ratify the award of a contract for a Phase I Environmental Assessment in the amount of \$1,700 to Quest Environmental, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Contract Negotiations - Block 39, Lot 14.02 (Readington Township)

A ***MOTION*** was made by Mr. Auriemma to approve a contract in the amount of \$1,800 to Thomas Rodriguez Associates and a contract in the amount of \$2,468 to Ronald A. Curini to perform appraisals on Block 39, Lot 14.02 (Readington Township). This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations - Block 15, Lot 4 (Arnaudy)

A ***MOTION*** was made by Mrs. Allen to approve the contract for the sale of a Development Rights Easement on Block 15, Lot 4 (Arnaudy) to Hunterdon County. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mr. 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 15, LOT 4 TO THE COUNTY OF HUNTERDON FOR FARMLAND PRESERVATION

Ordinance # 34-2006

WHEREAS, the Township of Readington (“Township”), is about to acquire an agricultural development rights easement on property known as Block 15, Lot 4, in the Township of Readington, consisting of approximately 26.368 +/- acres along Island 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 has qualified for enrollment in the Hunterdon County Agricultural Development farmland preservation program and the Township received a contract from the County of Hunterdon to purchase an agricultural development rights easement from the Township on 26.368 +/- acres of the Property, together with a Restrictive Covenant pertaining to mowing/maintenance rights at a purchase price of \$16,000.00 per acre for an estimated total of \$421,888.00, subject to adjustment for the required Municipal contribution and any survey/right-of-way adjustments and with payments to be made to the Township in seven (7) annual installments; 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

WHEREAS the conveyance of the Easement and restrictive covenants to the County 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*

Block 15, Lot 4 (Arnaudy) – continued:

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Township Committee of the Township of Readington, County of Hunterdon am! Stale 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 15, Lot 4 the Township of Readington, County of Hunterdon and State of New Jersey, which easement shall pertain to approximately 26.368 +/- acres of the Property for the price of \$16,000.00 per acre and an approximate total price of \$421,888.00, 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 seven (7) annual installments, 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 Mr. Auriemma and on Roll Call vote the following was recorded:

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

Public Hearing was scheduled for Monday, September 18, 2006 at 8:00 p.m.

Contract Negotiations - Block 39, Lot 14 (Cuchiaro)

A MOTION was made by Mrs. Allen to approve the contract for the sale of a Development Rights Easement on Block 39, Lot 14 (Cuchiaro) to Hunterdon County. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mr. 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 39, LOT 14 TO THE COUNTY OF HUNTERDON FOR FARMLAND PRESERVATION

Ordinance # 35-2006

Block 39, Lot 14 (Cuchiaro) – continued:

WHEREAS, the Township of Readington (“Township”), is about to acquire an agricultural development rights easement on property known as Block 39, Lot 14, in the Township of Readington, consisting of approximately 25+/- acres along Ridge Road in the Township, (hereinafter “Property”) which was contracted for with the intention of preserving it for farmland purposes and enrolling it in the appropriate Hunterdon County Agricultural Development program; and

WHEREAS, the property has qualified for enrollment in the Hunterdon County Agricultural Development farmland preservation program and the Township received a contract from the County of Hunterdon to purchase an agricultural development rights easement from the Township on 25+/- acres of the Property, together with a Restrictive Covenant pertaining to mowing/maintenance rights at a purchase price of \$17,352.00 per acre for an estimated total of \$433,800.00, subject to adjustment for the required Municipal contribution and any survey/right-of-way adjustments; 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

WHEREAS the conveyance of the Easement and restrictive covenants to the County 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 am! Stale of New Jersey, as follows:

SECTION 1. The Township of Readington shall convey to the County of Hunterdon by way of Assignment, a Development Rights Easement and a Restrictive Covenant pertaining to mowing rights on Block 39, Lot 14 the Township of Readington, County of Hunterdon and State of New Jersey, which easement shall pertain to approximately 25+/- acres of the Property for the price of \$17,352.00 per acre and an approximate total price of \$433,800.00, 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 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 Assignment thereof 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.

Block 39, Lot 14 (Cuchiaro) – continued:

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

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

Public Hearing was scheduled for Monday, September 18, 2006 at 8:00 p.m.

Contract Negotiations - Awarding of Hunting Bids

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

A **MOTION** was made by Mr. Auriemma to award the bid for hunting on Block 52.01, Lot 14.06 (Cole Road) to the KJS Hunting Club for \$6,543.00, 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

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

A **MOTION** was made by Mr. Auriemma to award the bid for hunting on Block 66, Lots 2 & 3 (Cole Road) to the Pinebank Road Hunting Association for \$3,000.00, 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

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

A **MOTION** was made by Mr. Auriemma to award the bid for hunting on Block 9, Lot 18 (Old York Road) to the Pines Rod & Gun Club for \$2,869.00, 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

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

A **MOTION** was made by Mr. Auriemma to award the bid for hunting on Block 66, Lot 13 (Pleasant Run Road) to the Wing & Shot Gun Club for \$3,126.00, 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

Awarding of Hunting Bids – continued:

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

A **MOTION** was made by Mr. Auriemma to award the bid for hunting on Block 57, Lots 2 & 2.05 (Thor Solberg Road) to the Pines Rod & Gun Club for \$729.00, 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

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

A **MOTION** was made by Mr. Auriemma award the bid for hunting on Block 63, Lots 19 & 64 (Woodschurch Road) to the 7 Point Pines for \$4,319.00, 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

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

A **MOTION** was made by Mr. Auriemma to award the bid for bow hunting only on Block 55, Lot 13.51 (Pinebank Road) to the Cranford Rod & Gun Club for \$825.00, 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

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

A **MOTION** was made by Mr. Auriemma to award the bid for bow hunting only on Block 25, Lots 19 & 20 (Route 523) to the KJS Hunting Club for \$1,603.00, 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 - Professional Services

Valerie Kimson, Esq.

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
SPECIAL COUNSEL SERVICES
#R-2006-112***

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

Valerie Kimson, Esq. – continued:

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

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

WHEREAS, Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O’Neill has submitted a proposal indicating she will act as Special Counsel at the following rates: Attorney – \$155 per hour; Paralegal - \$75 per hour, for the following matter:

- to represent the Township in the Readington Township v. Waste Management of New Jersey, Inc. litigation

WHEREAS, Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O’Neill has completed and submitted a Business Entity Disclosure Certification which certifies that Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O’Neill 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 Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O’Neill from making any reportable contributions through the term of the contract; and

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

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

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

BE IT FURTHER RESOLVED, that said contract shall expire upon completion of the case; 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. Auriemma to adopt this Resolution, 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	

CN Communications International, Inc.

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
RESEARCH BASED MEDIA RELATIONS, PUBLIC AFFAIRS AND MARKETING
COMMUNICATION SERVICES
#R-2006-113**

WHEREAS, the Township of Readington has a need to acquire Research Based Media Relations, Public Affairs and Marketing Communication Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

CN Communications International, Inc. – continued:

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

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

WHEREAS, CN Communications has submitted a proposal indicating they will provide Research Based Media Relations, Public Affairs and Marketing Communication Services for rates as follows: Principals \$300 per hour; VP’s/Directors \$225 per hour; Account Managers \$150 per hour; and

WHEREAS, CN Communications has completed and submitted a Business Entity Disclosure Certification which certifies that CN Communications 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 CN Communications from making any reportable contributions through the term of the contract; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with CN Communications 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, 2006; 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. Auriemma to adopt this Resolution, 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	

Restoration Technologies of New Jersey, LLC

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
HISTORICALLY SENSITIVE DEMOLITION/DECONSTRUCTION OF THE YES
HOUSE (BLOCK 15, LOT 27)
#R-2006-114***

WHEREAS, the Township of Readington has a need to acquire services for the Historically Sensitive Demolition/Deconstruction of the Yes House (Block 15, Lot 27) 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

Restoration Technologies of New Jersey, LLC – continued:

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

WHEREAS, Restoration Technologies of New Jersey, LLC. has submitted a proposal indicating they will provide services for the Historically Sensitive Demolition/Deconstruction of the Yes House (Block 15, Lot 27) for a cost of \$47,100.00, plus the cost of sealing the well at rates as detailed in the contract; and

WHEREAS, Restoration Technologies of New Jersey, LLC. has completed and submitted a Business Entity Disclosure Certification which certifies that Restoration Technologies of New Jersey, 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 Restoration Technologies of New Jersey, LLC. from making any reportable contributions through the term of the contract; and

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

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

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

BE IT FURTHER RESOLVED, that said contract shall expire on upon completion of the project; and

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

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

A MOTION was made by Mrs. Allen to adopt this Resolution, seconded by 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	

Fire Apparatus Consulting Services, Inc.

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

Deer Carcass Removal Service, LLC

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

Litigation - Twp. of Readington v. General Star Insurance Company & Summit Risk Services

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

***Contract Negotiations - 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.

Personnel - Police Department

A **MOTION** was made by Mr. Gatti to authorize the Police Department to establish a K-9 unit and purchase a canine for drug detection, search & rescue and patrol, with the funding to come from the drug forfeiture trust fund, subject to the Committee agreeing on a policy with the Police Department with respect to reimbursement for officer's time and other issues regarding shared services. 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	

Personnel - Housing & Social Services

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

Contract Negotiations - Bedminster - Lamington Hospitality

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 7, 2006.
2. **Morris County Cooperative Purchase Program.**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF READINGTON TO ENTER INTO A
"RENEWAL" COOPERATIVE PRICING AGREEMENT WITH THE MORRIS COUNTY
COOPERATIVE PRICING COUNCIL FOR THE CONDUCT OF CERTAIN FUNCTIONS
RELATING TO THE PURCHASE OF WORK MATERIALS AND SUPPLIES FOR THEIR
RESPECTIVE JURISDICTIONS
R-2006-117**

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

1. This Resolution shall be known and may be cited as the "Renewal" Cooperative Pricing Council Resolution of the Township of Readington; and
2. Pursuant to the provisions of *N.J.S. 40A:11-11 (5)*, the Township Committee of the Township of Readington is hereby authorized to enter into a "Renewal" Cooperative Pricing Agreement with the Lead Agency or any other contracting unit within the County of Morris or adjoining counties for the purpose of work, materials and supplies.
3. The Lead Agency entering into contracts on behalf of the Township of Readington shall be responsible for complying with the provisions of the Local Public Contracts Law (*N.J.S. 40A:11-1 et seq.*) and all other provisions of the revised statutes of the State of New Jersey.

4. All resolutions or parts thereof inconsistent with this resolution shall be and the same are hereby repealed.

CONSENT AGENDA – continued:

5. This “Renewal” Cooperative Pricing Council Resolution shall be effective October 1, 2006 and such membership shall be for the duration of five (5) years of the “Renewal” Cooperative Pricing Agreement, expiring September 30, 2011, unless the “Lead Agency” and the Division of Local Government Services, elects to withdraw.
6. This Resolution shall take effect immediately upon final passage and publication according to law.

**TOWNSHIP OF READINGTON
RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE PURCHASES
R-2006-118**

WHEREAS, the Township of Readington wishes to purchase catch basins and manhole castings 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, Campbell Foundry Company, 800 Bergen Street, Harrison, NJ, 07029, has been awarded Morris County Cooperative Contract No. #14 for catch basins and manhole castings 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 Campbell Foundry Company be awarded a contract for catch basins and manhole castings; 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.

**TOWNSHIP OF READINGTON
RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE PURCHASES
R-2006-119**

WHEREAS, the Township of Readington wishes to purchase drainage pipe 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, Brent Material Company, 741 Northfield Avenue, West Orange, NJ, 07052, has been awarded Morris County Cooperative Contract No. #7 for drainage pipe 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 Brent Material Company be awarded a contract for drainage pipe; and

CONSENT AGENDA – continued:

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.

3. ***Cooperative Purchase*** - Snow & Ice Control Materials/2006-2007 Winter Season.
4. ***Circelli Construction, Inc.*** - renovations to Eversole Hall House/payments #2 & #3 & change order #1.
5. ***S. Brothers/Mill Road Section I*** – payment #2.
6. ***Compass Construction, Inc./Bikeway & Pedestrian Walkway*** – payment #2
7. ***Jacobs-BBL*** - Partial Payments #12 & 13 for Three Bridges Pump Station project.
8. ***Baldwin*** - reimbursement of over charge for OPRA request.
9. ***Molesky*** - reimbursement of recreation fees.
10. ***Anderson/Block 75, Lot 38.02*** - release of driveway bond.
11. ***Application for Membership in NJ Firemen's Association*** - Marc J. Reeves.
12. ***Application for Membership in NJ Firemen's Association*** - William K. Apsley.
13. ***Application for Membership in NJ Firemen's Association*** – Donald J. Cunningham.
14. ***Applications for Raffles License*** – Round Valley Trout Association, Inc.
15. ***Tax Refunds*** – resolution.

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

WHEREAS, the Tax Collector has recommended the following tax refunds:

<u>BLOCK/LOT</u>	<u>REASON</u>	<u>REFUND TO</u>	<u>AMOUNT</u>
21.06/509.01	duplicate payment	Buczek, Edward & Denise	\$ 1,998.56
25/50.10	duplicate payment	Frank, Drora	\$ 4,470.14

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee that the Township Treasurer be authorized to refund the amount recommended.

16. ***Payment of the Bills.***

Fund Description	Fund No.	Received Total
CURRENT FUND APPROPRIATION	001	\$ 1,807,659.48
SEWER APPROPRIATION	002	\$ 99,250.34
TRUST APPROPRIATION	003	\$ 37,217.33
CAPITAL APPROPRIATIONS	004	\$ 5,221.25
MISC. REFUND, COUNTY TAX, LIENS	005	\$ 29,807.50
PAYROLL DEDUCTIONS	006	\$ 374,779.53

REGIONAL & LOCAL SCHOOL TAX	007	\$ 5,315,102.58
DUE TO STATE OF NEW JERSEY	009	\$ 650.00
TOTAL OF ALL FUNDS:		\$ 7,669,688.01

CONSENT AGENDA – continued:

17. **Municipal Court & Violations Bureau Report** for July, 2006.

A **MOTION** was made by Mrs. Allen to approve the items as listed on the consent agenda. 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 (except for minutes of August 7 th as he was not in attendance)
Mrs. Muir	-	Aye
Mayor Shamey	-	Aye

PUBLIC HEARINGS:

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

Clerk read by Title:

AN ORDINANCE SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, IS HEREBY SUPPLEMENTED AND AMENDED.

Ordinance #29-2006

Mayor Shamey said this ordinance provides for amendments to the Land Development Ordinance. This is the Township’s Stormwater Management Ordinance which has been the subject of much discussion and review by the Township’s professionals.

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

Mrs. Allen said Engineer McEldowney has comments regarding the ordinance.

Engineer McEldowney said there are technical inconsistencies in the draft of the ordinance as they relate to the current ordinance. He suggested that this ordinance be tabled and wait for input from Steve Souza from Princeton Hydro and Planner Michael Sullivan.

Administrator Mekovetz said the Committee could rescind this ordinance and then reintroduce the ordinance with the changes.

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

Clerk read by Title:

AN ORDINANCE SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, IS HEREBY SUPPLEMENTED AND AMENDED.

Ordinance #29-2006

A **MOTION** was made by Mrs. Muir to rescind this Ordinance, 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

Ordinance #30-2006

A **MOTION** was made by Mrs. Muir 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 SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, IS HEREBY SUPPLEMENTED AND AMENDED

Ordinance #30-2006

Mayor Shamey said this ordinance provides for amendments to the Land Development Ordinance. This ordinance addresses Stormwater Management elements.

Planner Michael Sullivan said this ordinance modifies the steep slope residential, agriculture residential and the rural residential zones to create design standards which create better dwelling unit-open space relationships when a cluster subdivision is developed. It also enhances the open space configuration through requiring larger, more regular open space parcels, requiring a 500 foot minimum dimension in both length and width.

It prohibits stormwater management elements within open space unless the open space is owned by the Township and it requires larger buffers to major roadways in the Township that abut these zones, particularly Routes 22, 28 and 202.

It changes the manner in which cluster subdivision regulations are applied to tracts within the AR and RR zones. It reduces the minimum size for clustering from 40 acres to 30 acres, and there is no longer a requirement to look to adjacent properties to see whether they are preserved farmland or open space in order to apply the cluster regulations.

It also creates a definition of stormwater management elements that are referred to with respect to open space. It removes “trust” as a form of open space ownership when clusters create open space or farmland to be more consistent with the Municipal Land Use Law and it removes the definition of flag lot.

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

Mrs. Muir said this ordinance forces developers to develop on a 1.5 acre open space cluster.

Mr. Sullivan said currently the AR zone mandates clustering when there are 40 acres or more, or if there are 30 acres or more, and the property is adjacent to preserved farmland or open space. The threshold for mandatory clustering has been lowered from 40 acres to 30 acres, but there is no consideration of what the adjacent property is zoned as.

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

A **MOTION** was made by Mr. Auriemma 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 SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, IS HEREBY SUPPLEMENTED AND AMENDED

Ordinance #30-2006

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

Ordinance #30-2006 – continued:

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

Ordinance #31-2006

A **MOTION** was made by Mrs. Muir 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 SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, IS HEREBY SUPPLEMENTED AND AMENDED

Ordinance #31-2006

Mayor Shamey said this ordinance provides for amendments to the Land Development Ordinance. This ordinance deals with the definition of certain terms, in particular impervious coverage. It amends the ordinance to provide that impervious coverage would be expressed as a percentage of the net lot area, which is defined in this ordinance as the area contained within the lot lines of a lot, after reducing the total area by the amount of land subject to certain environmental constraints.

Planner Michael Sullivan said the land use community operated under a decision which said that these elements could not be deducted from a lot area when calculating density, floor area ratio or impervious coverage. However, there was a decision last year or the year before that reversed this.

Mrs. Muir said there are thousands of small lots in Readington Township. She is very concerned about the stream corridor inclusion of stream channel and intermittently flowing waters and the 15% slope. If any of these items are found on a small lot, there will be no opportunity for property owners to put on additions, put in a patio, deck or put up a shed. Mrs. Muir said she has a lot of concerns about this ordinance.

Mrs. Allen said approximately 2.54% of Readington contain slopes of 15% to 25% and .9% contain slopes of 25% to 40%. Approximately 80% to 90% of those slopes are on Round Mountain/Cushtunk Mountain.

Mr. Sullivan said if a lot has a stream corridor on it and there were slopes of 15% in the stream corridor or wetlands in the stream corridor, you would not count those cumulatively – it’s a composite overlay.

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

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

Clerk read by Title:

AN ORDINANCE SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF

**READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, IS
HEREBY SUPPLEMENTED AND AMENDED**

Ordinance #31-2006

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

Ordinance #31-2006 – continued:

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

Ordinance #32-2006

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 SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148
ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF
READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, IS
HEREBY SUPPLEMENTED AND AMENDED.**

Ordinance #32-2006

Mayor Shamey said this ordinance provides for amendments to the Land Development Ordinance.

Planner Sullivan said this ordinance creates two (2) new classifications of width for stream corridors, based on their relative environmental sensitivity. Currently the ordinance requires a minimum of 100 feet on either side of a stream corridor as a conservation area. This ordinance increases the stream corridor to 150 feet for streams with somewhat higher water quality and 300 feet for Category One waters, which is consistent with NJDEP regulations.

It also removes some redundancies in the definition and critical areas section.

It also adds a section to the definition of stream channel which permits the environmental resources inventory to be a source of information, and also to permit on-site review by Township experts to determine whether these features are present.

It also creates an exception and definition for off-line ponds.

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

Mrs. Muir asked for an explanation of item #4 under “Stream Corridor.”

Planner Sullivan said the concept of a stream corridor is that there is a stream channel and then there is an area of either flood plain or buffer around it. If there are slopes that are 15% or greater directly abutting those features, they are presumed to be contributing to the water quality and the water volume, so the stream corridor would then extend to capture that steeply sloped area.

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

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

Clerk read by Title:

***AN ORDINANCE SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148
ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF
READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, IS
HEREBY SUPPLEMENTED AND AMENDED***

Ordinance #32-2006

Ordinance #32-2006 – continued:

A **MOTION** was made by Mrs. Allen to adopt this Ordinance, 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

Ordinance #33-2006

A **MOTION** was made by Mr. Auriemma 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:

BOND ORDINANCE AMENDING SECTION 6(b) OF BOND ORDINANCE NUMBER 21-2005, FINALLY ADOPTED JULY 18, 2005 AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$70,000 FOR THE COMPLETION OF THE SENIOR WALKWAY/BRIDGE ON RAILROAD AVENUE IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$66,500 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

Ordinance #33-2006

Mayor Shamey said this ordinance appropriates additional funds that are needed to complete the senior walkway/bridge on Railroad Avenue.

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. There were none.

A **MOTION** was made by Mr. Auriemma 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:

BOND ORDINANCE AMENDING SECTION 6(b) OF BOND ORDINANCE NUMBER 21-2005, FINALLY ADOPTED JULY 18, 2005 AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$70,000 FOR THE COMPLETION OF THE SENIOR WALKWAY/BRIDGE ON RAILROAD AVENUE IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$66,500 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

Ordinance #33-2006

A **MOTION** was made by Mr. Gatti to adopt this Ordinance, 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

CORRESPONDENCE/OTHER INFORMATION:

1. Memorandum from Readington Township Environmental Commission regarding ***Nature & Environmental Center at the P. Lomar property.***

Cheryl Filler, Environmental Commission Chair, appeared before the Committee. She said the Environmental Commission received a Trail Grant to design a trail on the property. The house is being renovated and a barn is going to be raised on the property. In addition, Karen McCullough presented a business plan on how to operate an Environmental Center.

Mayor Shamey suggested that Karen McCullough be invited to make a short presentation at the next meeting regarding this idea. All agreed.

2. Notice dated August 23, 2006 from Judith A. Sullivan, Municipal Clerk, Twp. of Bedminster, regarding ***public hearing of the following:***

- ***Ordinance #06-25 - Amending Chapter XIII Entitled “Land Management” of the revised General Ordinances of the Twp. of Bedminster.***
- ***Ordinance #06-26 - Amending Chapter XIII Entitled “Land Management” of the revised General Ordinances of the Twp. of Bedminster.***
- ***Ordinance #06-28 - Amending Chapter XIII Entitled “Land Management” of the revised General Ordinances of the Twp. of Bedminster.***

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

3. Notice regarding ***hearing before the Branchburg Township Zoning Board of Adjustment - Bray, Block 75, Lot 2,*** noted for information. No action taken.
4. Notice dated August 24, 2006 from Donna J. Burham, Deputy Municipal Clerk, Twp. of Clinton, regarding ***introduction of Ordinance #908-06 Supplementing & Amending Chapter 165 entitled “Land Use Regulations,” (Amending Standards and the Schedule of Zoning Requirements),*** noted for information. No action taken.
5. Notice dated August 8, 2006 from Dorothy L. Gooditis, Municipal Clerk, Twp. of Raritan, regarding ***adoption of a Resolution opposing the declared intent of the Hunterdon County Freeholders to file suit against the State of New Jersey for Deer Recovery,*** noted for information. No action taken.
6. Notice from John R. Dusinger, Esq., regarding ***hearing before the Tewksbury Township Planning Board - Toll Brothers Crossroads and Oldwick, Block 45, Lots 42 & 43,*** noted for information. No action taken.
7. Letter dated August 10, 2006 from Steven Glasson, President, Glasson Environmental Services, regarding ***application for General Permit Authorization - Block 36, Lot 7 - Tom Jr. Properties, Inc.,*** noted for information. No action taken.
8. Letter dated August 15, 2006 from Lou Cattuna, Section Chief, Bureau of Inland Regulation, NJDEP regarding ***NJDEP Freshwater Wetlands Letter of Interpretation/ Line Verification - Deborah Koch, Block 65, Lot 18.02,*** noted for information. No action taken.
9. Letter dated August 15, 2006 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.

OLD BUSINESS:

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

Mayor Shamey said the Township tendered an offer to Solberg Aviation for the 625+/- acres surrounding the airport and development rights over the 100 acres of the airport

Solberg Airport - update by Mayor Shamey – continued:

facilities area. The offer was \$21,738,000. A letter was received from Lawrence Berger, Esq., which requested a two (2) week extension of the deadline given to the Solbergs for a response to the Township's offer. The Township granted that extension, however they simultaneously asked that Mr. Berger confirm, in writing, that he represents Solberg Aviation Co. He should also confirm whether or not he represents Mr. Hrohomo. The Solbergs have been asked to provide, in writing, specifically what their proposal is, what they see the role of a mediator to be, and what issues they propose be mediated.

2. ***Compass Construction, Inc./Bikeway & Pedestrian Walkway*** - Change Order.

Action on this item was deferred until Ordinance #33-2006, which was adopted tonight, is in effect.

3. ***CVS Pharmacy*** - request for release of Performance Bond.

Action on this item was deferred until the next meeting.

4. ***Sena Builders, LLC*** - request for acceptance of bond.

Action on this item was deferred until the next meeting.

NEW BUSINESS:

1. ***Deer Path Park*** - surveying & marking of 30 ft. wide access easement.

Mayor Shamey said Zoning Official John Barczyk met with a resident of Deerpath Road and attempted to identify a 30 foot wide access easement to Deerpath Park from Rowlands Road. This easement is identified on the tax map on Block 72, Lot 34.07. Although the easement is clearly marked on the tax map, there are no physical markings to determine the exact location. The only safe way to utilize the easement is to have the property correctly surveyed and permanently marked.

Engineer McEldowney said he spoke with John Barczyk about this matter. He would need the Committee's authorization to provide the necessary survey markings that would delineate the access easement.

Mrs. Muir asked if anyone has spoken to the adjacent property owners to the easement.

Mayor Shamey said it is an existing easement that just needs to be marked.

Mr. David Lilien, 24 Deerpath Road, appeared before the Committee. He knew this walking easement existed and wanted to be able to use it, however it is not marked. He contacted the County and then spoke with Administrator Mekovetz. He also met with John Barczyk regarding this matter.

Mr. Lilien the residents of Rowlands Road are aware of the easement and Mr. Barczyk has spoken with them.

Mrs. Muir said she would like to know the outcome of Mr. Barczyk's conversation with the owner of the property where the easement is located.

Administrator Mekovetz said she had previously asked the Planning Board for a copy of the resolution of approval for this subdivision to see if the easement was mentioned. She said the easement is shown on the Township's tax map

Attorney Dragan said the deed refers to a 30 foot access easement through Lots 34.07 and 34.08 that was dedicated to the Township.

Deer Path Park - surveying & marking of 30 ft. wide access easement – continued:

Mayor Shamey said a letter should be sent to the two (2) property owners prior to it being surveyed.

Mrs. Allen suggested that a letter be sent to the property owners stating that the Committee has been approached by a neighbor that was interested in using the easement and ask that they contact the Vita to discuss the matter further.

2. ***Request for permission to access five (5) acres of wooded area on Block 66, Lot 53.***

Mayor Shamey said this is a letter from Peter Reno requesting permission for three (3) family friends to walk on Township land at a point where it crosses Cole Road to access the five (5) acres of wooded area on Block 66, Lot 53 for hunting purposes.

Attorney Dragan said it is public property. Perhaps it could be addressed in the agreement with the hunting club who is leasing the property. It could say that these people will be walking across the public property to reach their property for hunting purposes.

Administrator Mekovetz said that the hunting agreement does state that the lessees shall not interfere with any other use of the property during the period of the license, including entry onto the property by others entering the property with the Township's permission.

Attorney Dragan said, from a legal standpoint, as a land-locked piece of property, they probably have a right to cross the public property by law because it is an easement by necessity.

Mayor Shamey suggested that Attorney Dragan send a letter to Mr. Reno stating that the Committee can neither grant nor deny access because the lands are public.

3. ***Morris County Cooperative Purchase Program.***

This item was addressed under the Consent Agenda.

4. ***Cooperative Purchase - Snow & Ice Control Materials/2006-2007 Winter Season.***

This item was addressed under the Consent Agenda.

5. ***Circelli Construction, Inc.*** - renovations to Eversole Hall House/payments #2 & #3 & change order #1.

This item was addressed under the Consent Agenda.

6. ***S. Brothers/Mill Road Section I*** – payment #2.

This item was addressed under the Consent Agenda.

7. ***Compass Construction, Inc./Bikeway & Pedestrian Walkway*** – payment #2.

This item was addressed under the Consent Agenda.

8. ***Jacobs-BBL*** - Partial Payments #12 & 13 for Three Bridges Pump Station project.

This item was addressed under the Consent Agenda.

9. ***Baldwin*** - reimbursement of over charge for OPRA request.

This item was addressed under the Consent Agenda.

10. ***Molesky*** - reimbursement of recreation fees.

This item was addressed under the Consent Agenda.

NEW BUSINESS – continued:

11. ***Anderson/Block 75, Lot 38.02*** - release of driveway bond.

This item was addressed under the Consent Agenda.

12. ***Application for Membership in NJ Firemen's Association*** - Marc J. Reeves.

This item was addressed under the Consent Agenda.

13. ***Application for Membership in NJ Firemen's Association*** - William K. Apsley.

This item was addressed under the Consent Agenda.

14. ***Application for Membership in NJ Firemen's Association*** – Donald J. Cunningham.

This item was addressed under the Consent Agenda.

15. ***Applications for Raffles License*** – Round Valley Trout Association, Inc.

This item was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT:

Mayor Shamey said there is a Pandemic In-Home Support Group meeting scheduled for September 21st from 7:00 – 9:30 p.m. at Holland Brook School. It is sponsored by the Board of Health and the Office of Emergency Management. Mayor Shamey said he cannot attend. He asked if another member of the Committee could attend.

Mrs. Muir said she may be able to attend.

Mayor Shamey said there is a Transfer of Development Rights Summit on September 22nd at the Rutgers Echo Complex in Mansfield Township.

Mayor Shamey said there is a I-78 Corridor Transit Study Local Officials meeting on September 18th from 7:00 – 9:00 p.m. There is a Committee meeting that evening.

Mrs. Muir suggested that Ron Monaco be asked to attend.

Mayor Shamey said he would be willing to attend.

Engineer McEldowney said he would also attend.

Mayor Shamey asked that Administrator Mekovetz confirm that the meeting is still scheduled for September 18th.

Administrator Mekovetz said Hunterdon County is hosting a remembrance of the fifth anniversary of September 11th. They are having a ceremony at 6:00 p.m. on Main Street in Flemington.

Administrator Mekovetz asked if the Committee was interested in doing anything at the Municipal Building. She was planning on having a short ceremony for the employees.

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

ATTORNEY'S REPORT:

Written report submitted.

Attorney Dragan asked if the Committee would consider introducing an ordinance to sell a .682 acre piece of Block 96, Lot 18. It was part of the D'Urso farm and when the Township purchased the property it was subject to a pre-existing easement

The following ordinance was offered for introduction:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A .682+/- ACRE FEE SIMPLE INTEREST IN A PORTION OF PROPERTY KNOWN AS BLOCK 96, LOT 18 to ANTHONY AND COLLEEN MORELLI

Ordinance # 36-2006

WHEREAS, the Township of Readington ("Township"), purchased Block 96, Lot 18 in fee simple from the Estates of D'Urso and Denicolo on April 6, 2004 for open space and farmland preservation purposes; and

WHEREAS, at the time of its purchase, the Township was made aware by the owner that the Township's purchase was subject to a recorded easement agreement between the Estate of D'Urso and Morelli regarding a portion of Block 96, Lot 18 upon which existed part of a septic system owned by Anthony and Colleen Morelli (hereinafter "Morelli"), adjacent owners of Block 96, Lot 18.02; and

WHEREAS, the portion of Block 96, Lot 18 encumbered by the septic system easement is approximately .682+/- acres and the Township is willing to sell this portion to Morelli since, as it exists, it cannot qualify for funding for open space or farmland purposes and is, therefore, not needed for public use; and

WHEREAS, since its purchase in 2004, the Township divided the property into Block 96, Lot 18 and Lot 18.03. Lot 18,03, consisting of 31 +/- acres, has been deed-restricted for conservation purposes under the New Jersey Green Acres/Environmental Infrastructure Trust Program and remaining Lot 18, consisting of approximately 78+/- acres, (and excluding the within .682+/- ac. parcel) has been enrolled in the N.J. Farmland Preservation Program, so as to preserve the property for agricultural, open space, conservation and/or passive recreation purposes in accordance with the goals and purposes of the Township's Open Space Master Plan. The Township did not include the .682+/- portion in either the Green Acres or farmland preservation applications nor did it seek funding from those programs for same; and

WHEREAS, the .682+/- acre parcel to be sold to Morelli is less than the minimum size required for development under the zoning ordinance, pursuant to *N.J.S.A. 40A:12-13(b)*; and

WHEREAS, Morelli has agreed to pay the price of \$24,000.00 per acre, which is the per acre paid by Readington Township to the Estates of D'Urso and Denicolo and has also agreed to reimburse the Township for survey costs of \$700.00, for a total sum of \$17,068.00, which would, accordingly, make the Township whole.

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. On behalf of the Township Committee of the Township of Readington, the Mayor, Township Administrator and Township Attorney, as appropriate, are authorized to prepare and sign any and all documentation necessary to effectuate the sale of a fee simple interest in an approximately .682+/- acre portion of Block 96, Lot 18 for the total amount of \$17,068.00 (\$24,000 per acre, plus \$700 survey cost reimbursement) to Anthony and Colleen Morelli. The acreage purchased shall be merged with Block 96, Lot 18.02, in accordance with the contract on file with the Township Clerk.

SECTION 2. This sale is made pursuant to *N.J.S.A 40A:12-13(b)* and any other.

applicable statutes, rules and regulations and in consideration of the “previous” easement agreement made with D’Urso and Morelli.

SECTION 3. 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.

Ordinance # 36-2006 – continued:

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

Public Hearing was scheduled for Monday, September 18, 2006 at 8:00 p.m.

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

ENGINEER’S REPORT:

Written report submitted.

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

COMMITTEE REPORTS:

1. Gerard Shamey:

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:

a. Recreation Department

Mr. Auriemma said Greta Kenney has been meeting with the subcommittee with respect to the Township Needs Assessment. They are drafting a proposal to submit to the Township Committee.

A Soccer Fest will be held September 9th & 10th at Hillcrest and Summer Road parks from 7:00 a.m. to 8:00 p.m.

Mr. Auriemma asked if any of the volunteer firemen ever responded with the specs for pagers.

Administrator Mekovetz said they have not. She said she is meeting with Department

Heads now to prepare the General Improvement Ordinance and she was hoping to include the pagers in this ordinance.

Mayor Shamey referred to a letter that was sent by the Mayor of Tewksbury Township to Hunterdon County. It states that the County is negotiating with vendors for a bulk unit price. Mayor Shamey suggested that a letter be sent to the County requesting funding for Readington.

COMMITTEE REPORTS – continued:

Administrator Mekovetz said the Township received a survey regarding deer pickup, which needs to be completed by the end of September.

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

4. Frank Gatti:

a. Finance Department

1. *Tax Refunds* - resolution.

This item was addressed under the Consent Agenda.

2. *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. There were none.

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

<u>Subject Matter</u>	<u>Basis of Public Exclusion</u>	<u>Date Anticipated When Discussion Will Be Disclosed to Public</u>
Professional Services.....	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential

EXECUTIVE SESSION RESOLUTION – continued:

Twp. of Readington v. General Star Insurance Company & Summit Risk Services.....	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).....	Contract Negotiations.....	" " "
Housing & Social Services.....	Personnel.....	" " "
Bedminster - Lamington Hospitality.....	Contract Negotiations.....	" " "

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

A **MOTION** was made at 10:30 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 10:50 p.m.

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

Fire Apparatus Consulting Services, Inc.

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
 RESOLUTION
 R-2006-115**

WHEREAS, there exists a need in the Township of Readington for Professional Services;
 and

WHEREAS, the Local Public Contract Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services without competitive bids must be publicly advertised.

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

1. That the following contract has been awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1) (a)* of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:
 - Peters Associates Fire Apparatus Consulting Services, Inc.
at a cost of \$750.00.

2. Said contract shall expire on December 31, 2006.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
4. This Resolution shall take effect immediately.

Fire Apparatus Consulting Services, Inc. – continued:

A **MOTION** was made by Mr. Gatti to adopt this Resolution, 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

Deer Carcass Removal Service, LLC

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2006-116**

WHEREAS, there exists a need in the Township of Readington for Professional Services;
and

WHEREAS, the Local Public Contract Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services without competitive bids must be publicly advertised.

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

1. That the following contract has been awarded without competitive bidding as a “Professional Service” in accordance with *N.J.S.A. 40A:11-5(1) (a)* of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:
 - Deer Carcass Removal Service, LLC at a rate of \$64.95 per carcass and \$50.00 per carcass not found due to improper reporting and/or removed by others without property notification to Deer Carcass Removal Service.
2. Said contract shall expire on December 31, 2006.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
4. This Resolution shall take effect immediately.

A **MOTION** was made by Mr. Gatti to adopt this Resolution, 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

Litigation - Twp. of Readington v. General Star Insurance Company & Summit Risk Services

Mayor Shamey said no action was taken on this matter.

***Contract Negotiations - 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.

Personnel - Housing & Social Services

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION APPOINTING A MUNICIPAL HOUSING LIAISON
R-2006-120***

WHEREAS, the Township of Readington was granted substantive certification of its Housing Element and Fair Share Plan by the Council on Affordable Housing (COAH) on May 5, 1993; and

WHEREAS, the Governing Body of the Township of Readington petitioned the Council on Affordable Housing (COAH) for Third Round substantive certification of its Housing Element and Fair Share Plan on December 16, 2005; and

WHEREAS, the Township of Readington's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (*N.J.S.A. 52:270-301, et. seq.*) and COAH's Third Round Substantive Rules (*N.J.A.C. 5 :94-1, et. seq.*); and

WHEREAS, pursuant to *N.J.A.C. 5:94-7* and *N.J.A.C. 5:80-26.1 et. seq.*, the Township of Readington is required to appoint a Municipal Housing Liaison for the administration of the Township of Readington's affordable housing program to enforce the requirements of *N.J.A.C. 5:94-7* and *N.J.A.C. 5:80-26.1 et. seq.*; and

WHEREAS, the Township of Readington has amended Chapter 29 entitled Housing Committee to provide for the appointment of a Municipal Housing Liaison to administer the Township of Readington's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Readington, in the County of Hunterdon, and the State of New Jersey that *Diane E. Clapp* is hereby appointed by the Governing Body of the Township of Readington as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Section §29.1 of the Township of Readington's Code and Section §148-117 of the Township of Readington's Land Use Code.

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

Contract Negotiations - Bedminster - Lamington Hospitality

Mayor Shamey said no action was taken on this matter.

ADJOURNMENT

As there was no further business, a motion was made by Mrs. Muir at 10:55 p.m., seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC
Administrator\Municipal Clerk