

**READINGTON TOWNSHIP COMMITTEE
MEETING – OCTOBER 1, 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 (arrived at 6:40 p.m.) and Mrs. B. Muir

ABSENT: Attorney Dragan

ALSO PRESENT: 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>
Code Enforcement	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Fire Prevention.....	Personnel.....	" " "
Zoning.....	Personnel.....	" " "
Police Department.....	Personnel.....	" " "
Block 44, Lots 18, 50 & 54 (Herr).....	Contract Negotiations.....	" " "
Block 80, Lot 1 (Readington Twp.).....	Contract Negotiations.....	" " "
Block 39, Lots 49 & 14.04 & Block 40, Lot 2 (Peters).....	Contract Negotiations.....	" " "
Block 96, Lot 18 (Readington Twp.).....	Contract Negotiations.....	" " "
Block 36, Lots 93, 94 & 95 (Country Classics Legacy at Readington, LLC – Developer’s Agreement).....	Contract Negotiations.....	" " "
Borough of Lebanon Municipal Court	Contract Negotiations.....	" " "
Professional Services – Pickell Architecture, LLC.....	Contract Negotiations.....	" " "
Executive Session Minutes (Sept. 4, 2007 & Sept. 17, 2007).....	Attorney-Client Privilege.....	" " "
Strobel & Luckstone vs. Readington Twp. <i>et al.</i> ...	Litigation.....	" " "
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8, Block 39, Lot 24 & Block 67, Lot 2 (Solberg Aviation - Hromoho).....	Litigation.....	" " "

EXECUTIVE SESSION RESOLUTION – continued:

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

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

The meeting reconvened at 7:50 p.m.

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

Mayor Shamey announced that Lieutenant Scott Oldenburg passed away last night. He served on the Township’s Police Department for twenty-two (22) years. He is survived by his wife Camille and two (2) sons Michael and Daniel. There will be a memorial service at St. Elizabeth Ann Seton Church in Three Bridges at a date and time yet to be determined. Mayor Shamey said the Township’s thoughts are with Scott’s family at this difficult time.

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

Personnel - Code Enforcement

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

Personnel - Fire Prevention

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

Personnel - Zoning

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

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 44, Lots 18, 50 & 54 (Herr)

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 80, Lot 1 (Readington Twp.)

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 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters)

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 96, Lot 18 (Readington Twp.)

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 36, Lots 93, 94 & 95 (Country Classics Legacy at Readington, LLC – Developer’s Agreement)

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

Contract Negotiations - Borough of Lebanon Municipal Court

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

Contract Negotiations - Professional Services – Pickell Architecture, LLC

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 (Sept. 4, 2007 & Sept. 17, 2007)

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

Litigation - Strobel & Luckstone vs. Readington Twp. et al.

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 that this matter will remain in Executive Session.

CONSENT AGENDA:

1. ***APPROVAL OF THE MINUTES*** of meetings of September 4, 2007 & September 17, 2007.
2. ***Tilcon*** - Partial Payment for Road Improvements – (\$505,456.21).
3. ***Russo/Block 21.04, Lot 508.01*** – request for refund of overpaid taxes (veteran’s deduction).
4. ***Application for Social Affairs Permit*** – Polish American Citizens Club (Sept. 22, 2007)
5. ***Application for Blue Light Permit*** – Richard C. Gould.
6. ***Application for Blue Light Permit*** – Logan Yukniewicz.
7. ***Tax Refund*** – resolutions.

**TOWNSHIP OF READINGTON
RESOLUTION
R-2007-112**

WHEREAS, 2004, 2005 and 2006 taxes have been paid in full on Block 21.04, Lot 508.01; and

WHEREAS, it has been determined that the property owner is a veteran and therefore is entitled to a veteran’s deduction.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee that the Collector be authorized to refund the veteran’s deduction for 2004 thru 2006 in the amount of \$750.00

CONSENT AGENDA – continued:

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

WHEREAS, the Tax Collector has recommended the following 2006 tax refund:

<u>BLOCK/LOT</u>	<u>REASON</u>	<u>REFUND TO</u>	<u>AMOUNT</u>
38/38.18	vet. deduction	Olenick, Anthony	\$ 250.00

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

8. **Payment of the Bills.**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND APPROPRIATION	001	\$ 479,761.11
SEWER APPROPRIATION	002	\$ 113,856.96
TRUST APPROPRIATION	003	\$ 3,843.70
CAPITAL APPROPRIATIONS	004	\$ 98,293.01
MISC REFUND, COUNTY TAX, LIENS	005	\$ 35,054.33
PAYROLL DEDUCTIONS	006	\$ 144,494.30
REGIONAL AND LOCAL SCHOOL TAX	007	\$ 2,459,746.88
TOTAL OF ALL FUNDS:		\$ 3,335,050.29

A **MOTION** was made by Mr. Auriemma 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
- Mrs. Muir - Aye
- Mayor Shamey - Aye

CORRESPONDENCE/OTHER INFORMATION:

1. Notice dated September 25, 2007 from William G. Dressel, Jr., Executive Director, NJ League of Municipalities regarding **regulation of Solid Waste Facilities at Rail Yards – Congressional Hearing**, noted for information. No action taken.
2. Memorandum dated September 26, 2007 from Sharon L. Brienza, Municipal Clerk, Twp. of Branchburg, regarding **adoption of Ordinance #2007-1070 Amending the Land Development Ordinance of the Twp. of Branchburg by replacing in its entirety Article 8 entitled “Flood Plain Management,”** noted for information. No action taken.
3. Letter dated September 13, 2007 from Donna J. Burham, Municipal Clerk, Twp. of Clinton, regarding **adoption of Ordinance #935-07 Supplementing & Amending Chapter 165 entitled “Land Use Regulations” (Amending Standards & the Schedule of Zoning Requirements)**, noted for information. No action taken.
4. Notice dated September 14, 2007 from Dorothy L. Gooditis, Municipal Clerk, Twp. of Raritan, regarding **Public Hearing of Ordinance #07-33, an Ordinance to Amend an Ordinance entitled “Revised General Ordinances of the Twp. of Raritan 1999, and more specifically to add Section 16.49 – Commercial-Recreation District**, noted for information. No action taken.
5. Memorandum dated September 12, 2007 from Roberta A. Brassard, Municipal Clerk, Twp. of Tewksbury, regarding **adoption of Ordinance #14-2007 - to Amend an Ordinance whose short title is “Tewksbury Twp. Development Regulations Ordinance (2000)”**, noted for information. No action taken.

CORRESPONDENCE/OTHER INFORMATION – continued:

6. Notice dated September 11, 2007 from Julie Vaccher Goldstein, Esq., regarding *hearing before the Readington Twp. Planning Board - Block 71, Lots 1 & 2 (American Classics, LLC)*, noted for information. No action taken.
7. Notice from Marck A. Wetter, Esq., regarding *hearing before the Readington Twp. Planning Board - Block 64, Lots 36 & 37 (Nicodemus)*, noted for information. No action taken.
8. Letter dated September 17, 2007 from Rich Rodack, Project Manager, ExxonMobil, regarding *Biennial Certification Monitoring Report for Ground Water Classification Exception Area – Route 22 W. & Oldwick Road*, noted for information. No action taken.
9. Letter dated September 17, 2007 from Virginia A. Minnich, Aqua New Jersey, Inc., regarding *Notice of Public Hearing before the Board of Public Utilities & Filing of Petition for Municipal Consent to Provide Wastewater Service to a Portion of the Twp. of Readington*, noted for information. No action taken.
10. Letter dated September 13, 2007 from Lou Cattuna, Section Chief, Bureau of Inland Regulation, NJDEP regarding *Application for Letter of Interpretation/Line Verification – David Lewis, Block 73, Lots 38 & 40*, noted for information. No action taken.
11. Letter dated September 18, 2007 from Lou Cattuna, Section Chief, Bureau of Inland Regulation, NJDEP regarding *Application for Letter of Interpretation/Line Verification – Anthony & Judith Serra, Block 36, Lot 96*, noted for information. No action taken.
12. Letter dated September 24, 2007 from Yacoub E. Yacoub, Bureau Chief, Northern Bureau of Field Operations, NJDEP, regarding *Unrestricted Use No Further Action Letter & Covenant Not to Sue - Cooke, Block 66, Lot 9.1*, noted for information. No action taken.

OLD BUSINESS:

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

Mayor Shamey said he had nothing to report.

NEW BUSINESS:

1. *Three Bridges Fire Company* – presentation regarding purchase of new truck.

Chief Jim Traynor appeared before the Committee and introduced Assistant Chief Jamie Reed.

Mr. Reed gave a brief presentation which included the following:

- Review of bid received for new fire truck
- Explaining of key considerations for the vehicle
- Addressing questions raised regarding bid price
- Discussing proposed changes reducing overall cost
- Exploring options around the new price point

Mayor Shamey thanked Mr. Reed for the informative presentation. He also commended them for trying to reduce the cost of the truck and for removing some of the equipment add-ons.

Mrs. Muir asked if the newer developments which have mandated in-ground water tanks were taken into consideration.

Mr. Traynor said the only hydrants they have in their coverage area are on Route 202, as well as in Hunter's Crossing.

Three Bridges Fire Company – purchase of new truck – continued:

Mr. Auriemma referred to the bid that was awarded for a new truck for the East Whitehouse Fire Company which was much lower in price.

Mr. Reed said there are options Three Bridges want to add to the truck that East Whitehouse did not add.

Mr. Auriemma said there are different needs for different parts of the Township due to the different coverages provided by each fire company. If any items are removed from the specifications the truck will have to be rebid which could take up to nine (9) months. He said he does not think it is worth rebidding.

A MOTION was made by Mr. Auriemma to introduce a Bond Ordinance in the amount of \$546,421.00, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

This motion was defeated.

Mr. Auriemma suggested that the Committee appropriate \$525,000 toward the purchase of the truck for Three Bridges Fire Company.

The following ordinance was offered for consideration

***BOND ORDINANCE PROVIDING FOR THE PURCHASE OF A STAINLESS STEEL
CAFS PUMPER FOR THE THREE BRIDGES FIRE COMPANY IN AND
BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON,
NEW JERSEY, APPROPRIATING \$530,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$503,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE
PART OF THE COST THEREOF***

Ordinance #36-2007

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Readington, New Jersey (the “Township”) as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$530,000, including the sum of \$26,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$503,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the purchase of a stainless steel CAFS pumper for the Three Bridges Fire Company pursuant to N.J.S.A. 40A:14-34, including all related costs and expenditures incidental thereto.

Three Bridges Fire Company – purchase of new truck – continued:

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

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor. To the extent that there are any additional costs in excess of \$525,000, such costs will be the responsibility of the fire company.

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

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

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$503,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document

Three Bridges Fire Company – purchase of new truck – continued:

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

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

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

A MOTION was made by Mr. Gatti 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 Wednesday, November 7, 2007 at 8:00 p.m.

Administrator/Mekovetz said that because the contract won't be awarded within the required sixty (60) day period, the Township will have to request an extension.

2. ***Ordinance establishing an Agricultural Advisory Committee*** – introduction.

Mrs. Allen said there are new regulations for the Planning Incentive Grant applications which require that each municipality have an Agricultural Advisory Committee that meets certain specifications. Although Readington has always had an Agricultural Advisory Committee, it was not dictated by ordinance.

The following Ordinance was offered for introduction:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY ESTABLISHING AN AGRICULTURAL ADVISORY COMMITTEE

Ordinance #35-2007

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

SECTION 1. There is hereby formally established in and for the Township of Readington an Agricultural Advisory Committee to serve as an advisory Committee to the Township Committee for the purpose of discussion of matters of interest to the farming community, current and pending Township ordinances affecting the farming community, farmland preservation planning and other issues of interest to the farming community which will have an impact upon the Township as a whole; to provide opportunities to preserve farming as a viable industry within the Township and to preserve the Township's rural character by lessening pressure on landowners to sell farmland for development and to keep non-threatened farmland in active production.

Ordinance establishing an Agricultural Advisory Committee – continued:

SECTION 2. RESPONSIBILITIES

The Agricultural Advisory Committee shall meet no fewer than four (4) occasions per year or as needed for the following purposes:

- (a) To assist the Township Committee in carrying out its duties and responsibilities by informing it of developments in the farming community that should be considered when using municipal regulatory and land use powers.
- (b) To assist the Township Committee in the development of ordinances by reviewing them for impacts upon the farming community, including any ordinances which might affect land use in the Township=s Agricultural Development Area (ADA).
- (c) To assist the Planning Board in the development for adoption of a farmland preservation plan element pursuant to paragraph 13 of section 19 of *N.J.S.A. 40:55D-28b(13)* and/or an agriculture retention plan. The plan shall include at a minimum:
 - (1) An inventory of farm properties in the entire municipality and a map illustrating what the community considers significant areas of agricultural land.
 - (2) A detailed statement showing the municipal plans and ordinances such as a Right to Farm ordinance and other agricultural viability ordinances support and promote agriculture as a business.
 - (3) A plan for preserving as much farmland as possible in the short term by leveraging monies made available by the Garden State Preservation Trust Act *N.J.S.A. 18:8C-1 et seq.* or other farmland preservation funding programs through a variety of mechanisms outlined in *N.J.A.C. 2:76-17.6(a)3*.
 - (4) A statement of farming trends, characterizing the type(s) of agricultural production in the municipality.
 - (5) A discussion of plans to enhance the agricultural industry in the municipality.
- (d) To assist through consultation, the Planning Board and the Township Committee in adjustments and amendments to the Farmland Preservation and/or Agricultural Retention Master Plan Element and the list of farms to be included in the easement purchase acquisition program.
- (e) To assist the Planning Board in developing and considering amendments developed through master plan re-examination and any other changes that would affect the viability of farms located within the Township=s Agricultural Development Areas (ADAs).
- (f) To provide educational opportunities for residents to learn about the history of farming in Readington Township, how to support the local farming community and how to become involved in the agricultural industry. This could include development of farm tours to promote the preservation of farms and public education about farming operations.
- (g) To provide information to the Township=s Open Space Committee about farmland preservation opportunities in Readington Township.
- (h) To review and recommend any changes to the Township=s Agricultural Development Areas (ADAs) to the Planning Board and to the Hunterdon County Agricultural Development Board (HCADB).

The Agricultural Advisory Committee shall meet with the Township Committee at least once a year to report on its activities and discussions and provide the Committee with a summary of the issues it has discussed and the positions it believes should be advanced on behalf of the farming community as a whole in the municipality.

Ordinance establishing an Agricultural Advisory Committee – continued:

SECTION 3. MEMBERSHIP.

- (a) The Readington Township Agricultural Advisory Committee shall consist of three (3) residents of the Township. In addition, a majority of the members must be actively engaged in farming in the Township and own a portion of the land they farm.
- (b) Representatives shall be appointed from the various scales of farming and commodities existing in the community to facilitate a broad spectrum of response and to maintain its knowledge about the ever-changing practices of the agricultural industry.
- (c) Members shall be appointed by the Mayor and approved by the remainder of the Township governing body. Initial appointments to the Agricultural Advisory Committee organized as a result of this ordinance shall be for one 1-year term, one 2-year term and one 3-year term. Thereafter, each member shall serve a term of three (3) years. The Agricultural Advisory Committee shall choose a chairman, who shall serve as a liaison between the Agricultural Advisory Committee and the Township Committee and Planning Board. The chairman shall keep notes of the meeting, which shall be deemed to be the property of the Township. The chairman shall serve as the spokesperson for the Agricultural Advisory Committee in discussions with the Township Committee and the Planning Board.
- (d) Members must comply with *N.J.A.C. 2:76-6.18(z)* and any other similar regulations in effect now or in the future with respect to ethics requirements, including adopting a Code of Ethics and adherence to the prohibition against members of the Township Agricultural Advisory Committee or their immediate families selling or applying to sell their property in fee simple title pursuant to the Agriculture Retention and Development Act, *N.J.S.A. 4:1C-11 et seq.* and the Garden State Preservation Trust Act, *N.J.S.A. 13:8C-1 et seq.* According to such regulations a member of the immediate family@ means @the member=s spouse, child, parent or sibling, residing in the same household.@ Any Code of Ethics shall be subject to the prior approval of the Township Committee.
- (e) A vacancy occurring other than by expiration of a term shall be filled by the Township Committee for the unexpired term only.
- (f) The members shall serve without compensation except that they shall be reimbursed for expenses incurred in the performance of official business.

SECTION 4. OTHER.

- (a) All meetings shall comply with the Open Public Meetings Act (*N.J.S.A. 10:4-7, et seq.*).

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective immediately upon final adoption and publication required by law.

SECTION 6. This ordinance repeals all prior ordinances or portions of ordinances inconsistent herewith.

SECTION 7. If any portion of this ordinance shall be deemed invalid, such portion shall not affect the validity of the remainder of the ordinance.

A MOTION was made by Mrs. Allen to introduce 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

Public Hearing was scheduled for Monday, October 15, 2007 at 8:00 p.m.

NEW BUSINESS – continued:

3. ***Bond Ordinance/Block 53, Lot 5 (Holland Brook Realty)*** - introduction.

Mayor Shamey said that action on this item will be deferred until the next meeting.

4. ***Tilcon*** - Partial Payment for Road Improvements - (\$505,456.21).

This item was addressed under the Consent Agenda.

5. ***Russo/Block 21.04, Lot 508.01*** – request for refund of overpaid taxes (veteran's deduction).

This item was addressed under the Consent Agenda.

6. ***Application for Social Affairs Permit*** – Polish American Citizens Club (Sept. 22, 2007)

This item was addressed under the Consent Agenda.

7. ***Application for Blue Light Permit*** – Richard C. Gould.

This item was addressed under the Consent Agenda.

8. ***Application for Blue Light Permit*** – Logan Yukniewicz.

This item was addressed under the Consent Agenda.

Readington Nature Center – Presentation

Ms. Karen McCullough appeared before the Committee to give a presentation regarding the Readington Nature Center. She said the Steering Committee needs to draft a charter, and they will also be submitting an article for the next newsletter.

They want to develop the property into something that will welcome the public, provide access to all citizens, encourage an awareness and respect for nature and the environment, provide educational activities and encourage activism and service. They have already partnered with Readington Township Schools and will also be contacting Merck, Hunterdon County Parks, South Branch Watershed Association as well as local civic groups.

Ms. McCullough said they are hoping to get the wetland extension done by November, to have the bathroom complete by January, have the barn complete in the spring of 2008 and the sensory garden done by the end of next summer and officially open the Nature Center in September, 2008.

Mrs. Allen said that Merck donated \$100,000 approximately three (3) years ago to improve and stabilize the house on this property. These funds have been used to rebuild the chimneys, install a roof, repair the siding and paint the house, install new windows, bringing electric to the site, installation of a security system, installation of a new pump in the well, complete the wetlands Letter of Interpretation and surveying. There is approximately \$11,000 left to finish a few additional projects and begin work on the bathroom.

Administrator Mekovetz said a public hearing is scheduled for Wednesday, November 7th at 8:00 p.m. regarding the reconstruction of the Reno barn on this property. Because the purchase of the property was funded by Green Acres, this is considered a change of use, so a public hearing is required. In addition, there are advertising requirements and sign requirements that must be complied with.

A MOTION was made by Mrs. Allen to send a letter to Scott Jesseman and Scott Hulcher and their staff thanking them for working with the Natural Resource Conservation Service to build the vernal ponds in the field on the property and also, to send a letter to the NRCS thanking them for funding the project. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

Public Hearing:

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

Clerk read by Title:

AN ORDINANCE 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

Mayor Shamey said this property consists of approximately 42 acres along Barley Sheaf Road which qualified for the Traditional Farmland Preservation Program. The County is purchasing the agricultural development rights easement along with a restrictive covenant pertaining to mowing and maintenance rights at a price of \$18,500 per acre for an estimated total of \$777,000.

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 Mrs. Allen 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 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

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

ADMINISTRATOR'S REPORT:

Written report submitted.

Administrator Mekovetz said closings were held with the County and State on the Accettola and Saronno properties. The Township received \$565,347.57 for the Accettola property and will be receiving five (5) future installments of \$16,152.79. The Township received \$1,295,107 for the Saronno property and will be receiving seven (7) future installments of \$39,245.67.

Mrs. Allen said the total amount the Township has received in reimbursements on open space properties in 2007 is \$6,475,302.

Administrator Mekovetz said the County Administrator has requested that a meeting be scheduled with members of the Committee regarding library services. She asked which members of the Committee would be interested in attending.

Mrs. Allen and Mrs. Muir offered to attend.

Mrs. Allen said an auction was held for Block 96, Lot 18 and the highest bid was \$860,000.

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

ATTORNEY'S REPORT:

Written report submitted.

As Attorney Dragan was not in attendance, no further report was given.

ENGINEER'S REPORT:

Written report submitted.

Engineer McEldowney said paving has been started in the Spring Meadows development.

Mayor Shamey thanked Engineer McEldowney for his efforts in resolving this situation.

Mayor Shamey said the County has done tree cutting on Route 523 near the Buffalo Farm.

Mrs. Allen said it is not necessary to remove the entire length of tree line.

Mayor Shamey and Mr. Gatti agreed that the County should not be removing all of the trees in the tree line.

Engineer McEldowney said he will look into this matter.

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

COMMITTEE REPORTS:

1. Gerard Shamey:

Mayor Shamey said he and Mrs. Allen attended the inaugural meeting of what is going to become the Readington Community Theater.

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. *Tax Refund* – resolutions.

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 AA@

EXHIBIT A

<u>Subject Matter</u>	<u>Basis of Public Exclusion</u>	<u>Date Anticipated When Discussion Will Be Disclosed to Public</u>
Code Enforcement	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Fire Prevention.....	Personnel.....	" " "
Zoning.....	Personnel.....	" " "
Police Department.....	Personnel.....	" " "
Block 44, Lots 18, 50 & 54 (Herr).....	Contract Negotiations.....	" " "
Block 80, Lot 1 (Readington Twp.).....	Contract Negotiations.....	" " "
Block 39, Lots 49 & 14.04 & Block 40, Lot 2 (Peters).....	Contract Negotiations.....	" " "
Block 96, Lot 18 (Readington Twp.).....	Contract Negotiations.....	" " "
Block 36, Lots 93, 94 & 95 (Country Classics Legacy at Readington, LLC – Developer’s Agreement).....	Contract Negotiations.....	" " "
Borough of Lebanon Municipal Court	Contract Negotiations.....	" " "
Professional Services – Pickell Architecture, LLC.....	Contract Negotiations.....	" " "
Executive Session Minutes (Sept. 4, 2007 & Sept. 17, 2007).....	Attorney-Client Privilege.....	" " "
Strobel & Luckstone vs. Readington Twp. <i>et al...</i>	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 AA.@
3. This Resolution shall take effect immediately.

A MOTION was made at 10:05 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 11:05 p.m.

Mr. Auriemma left the meeting at this time.

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

Personnel - Code Enforcement

Mayor Shamey said there was no discussion on this item.

Personnel - Fire Prevention

Mayor Shamey said there was no discussion on this item.

Personnel - Zoning

Mayor Shamey said there was no discussion on this item.

Personnel - Police Department

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

Contract Negotiations - Block 44, Lots 18, 50 & 54 (Herr)

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

Contract Negotiations - Block 80, Lot 1 (Readington Twp.)

Mayor Shamey said there was no discussion on this item.

Contract Negotiations - Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters)

A **MOTION** was made by Mrs. Allen to approve the contract with Tom Rodriguez in the amount of \$2,300 to update the appraisal on Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters). This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

A **MOTION** was made by Mrs. Allen to approve the contract with Curran Realty Advisors in the amount of \$2,473 to prepare a new appraisal on Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters). This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations - Block 96, Lot 18 (Readington Twp.)

A **MOTION** was made by Mrs. Muir to approve the contract for sale of Block 96, Lot 18 (Readington Township). This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations - Block 36, Lots 93, 94 & 95 (Country Classics Legacy at Readington, LLC – 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, LLC. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Contract Negotiations - Borough of Lebanon Municipal Court

Mayor Shamey said there was no discussion on this item.

Contract Negotiations - Professional Services – Pickell Architecture, LLC

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2007-111***

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:
 - Pickell Architecture, LLC for architectural services regarding the construction of a handicapped bathroom at the Cushetunk Nature Preserve at a cost of \$2,800.00.
2. Said contract shall expire December 31, 2007.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
4. This Resolution shall take effect immediately.

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

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

Attorney-Client Privilege - Executive Session Minutes (Sept. 4, 2007 & Sept. 17, 2007)

A **MOTION** was made by Mrs. Allen to approve the Executive Session Minutes from the meetings of September 4, 2007 and September 17, 2007 for content. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Litigation - Strobel & Luckstone vs. Readington Twp. et al.

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 11:10 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