

**READINGTON TOWNSHIP COMMITTEE
MEETING – OCTOBER 2, 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>
Museums.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Police Department.....	Personnel.....	" " "
Hunterdon County CERT.....	Contract Negotiations.....	" " "
Block 36, Lots 9 & 27 (Cook).....	Contract Negotiations.....	" " "
Block 20, Lot 11 (Csepi).....	Contract Negotiations.....	" " "
Awarding of ECHO Installation & Removal Bids...	Contract Negotiations.....	" " "
Patriot Media & Communications CNJ, LLC.).....	Contract Negotiations.....	" " "
Liberty Hill Realty, Inc. & Rene Salamon v. Ilva Saronno Corp., Angelo Reina, David Kelso and Readington Township.....	Litigation.....	" " "
Kevin J. Devine & Taxpayers Alliance of Readington v. Mayor & Twp. Committee of Twp. of Readington & Twp. of Readington.....	Litigation.....	" " "
Executive Session Minutes - Aug. 7, 2006 & Sept. 5, 2006.....	Attorney-Client Privilege.....	" " "
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8, Block 39, Lot 24 & Block 67, Lot 2 (Solberg Aviation - Hromoho).....	Contract Negotiations.....	" " "
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 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 7:40 p.m.

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

Mayor Shamey welcome students from Ms. Startsel's political science class.

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

Personnel – Museums

A **MOTION** was made by Mr. Gatti to increase Museum Administrator Amy Hollander's hours from 30 hours per week to 35 hours per week. 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	

Personnel – Police Department

A **MOTION** was made by Mr. Gatti to promote Patrolman First Class Robert Riva and Patrolman Christopher DeWire to the rank of Corporal, effective September 22, 2006. 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 – Hunterdon County CERT

A **MOTION** was made by Mrs. Muir to approve the agreement with Hunterdon County to authorize Patrolman Christopher Heycock to participate in the County-Wide Emergency Response Team, and to authorize the Mayor to sign the agreement for same. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Contract Negotiations – Block 36, Lots 9 & 27 (Cook)

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

Contract Negotiations – Block 20, Lot 11 (Csepi)

A **MOTION** was made by Mr. Auriemma to authorize Attorney Dragan to draft a contract for Block 20, Lot 11 (Csepi). 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	

Contract Negotiations – Awarding of ECHO Installation & Removal Bids

The following Resolution was offered for consideration:

Awarding of ECHO Installation & Removal Bids – continued:

***TOWNSHIP OF READINGTON
RESOLUTION
#R-2006-123***

WHEREAS, the Township of Readington (hereinafter “Township”) on Tuesday, September 26, 2006 opened sealed bid proposals from one (1) bidder for the ECHO Unit Installation & Removal; and

WHEREAS, the Township’s specifications stated that the bid would be awarded to the lowest responsible bidder pursuant to N.J.S.A. 40A:11-4; and

WHEREAS, one (1) bid was received in response to the advertisement for bids by Konya’s Mobile Home Service & Repair, Inc. in the amount of \$49,300.00; and

WHEREAS, upon review of the bid, it was determined that the bidder failed to submit the Standard Bid Form, Non-Collusion Affidavit, Stockholders’ Disclosure Statement, Bid Bond, Consent of Surety and Proof of Business Registration as required pursuant to the bid package;

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

1. That the bid received from Konya’s Mobile Home Service & Repair is considered non-responsive based on the omission of the Standard Bid Form, Non-Collusion Affidavit, Stockholders’ Disclosure Statement, Bid Bond, Consent of Surety and Proof of Business Registration as required pursuant to the bid package;
2. The Township Committee hereby rejects the bid received from Konya’s Mobile Home Service & Repair, Inc., as a non-responsive bid;
3. The Administrator/Municipal Clerk is hereby authorized to rebid the project; and
4. This Resolution shall take effect immediately.

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

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

Contract Negotiations – Patriot Media & Communications CNJ, LLC.)

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

Litigation - Liberty Hill Realty, Inc. & Rene Salamon v. Illva Saronno Corp., Angelo Reina, David Kelso and Readington Township

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

Litigation - Kevin J. Devine & Taxpayers Alliance of Readington v. Mayor & Twp. Committee of Twp. of Readington & Twp. of Readington

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

A **MOTION** was made by Mr. Auriemma to approve the Executive Session Minutes from the meeting of August 7, 2006 for content. This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Executive Session Minutes – continued:

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

A **MOTION** was made by Mrs. Muir to approve the Executive Session Minutes from the meeting of September 5, 2006 for content. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded: recorded:

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

Contract Negotiations – Contract Negotiations 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)

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2006-126***

WHEREAS, the Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide Program Funds in connection with municipal acquisition of lands for recreation, conservation and general open space purposes; farmland preservation; preparation of plan elements of a municipal Master Plan, and restoration of county owned or municipal owned historic facilities; and

WHEREAS, the Governing Body of Readington Township desires to obtain Open Space Trust Funds in the amount of \$976,860 to fund the following project(s):

Holland Brook and Chambers Brook Greenway (1)
Block 67, Lot 2 (a portion)
Block 48, Lot 23 (a portion)

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

1. Vita Mekovetz, Administrator/Municipal Clerk, is authorized to:
 - (a) make an application to the County of Hunterdon for Open Space Trust Funds;
 - (b) provide additional application information and furnish such documents as may be required for the Municipal Grants Program;
 - (c) act as the principal contact person and correspondent of the above named municipality.
2. If the County of Hunterdon determines that the application is complete and in conformance with the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan and the Policies and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such adopted policies and procedures, and applicable state and local government rules, regulations and statutes thereto.

3. Mayor Gerard J. Shamey is hereby authorized to sign and execute any required documents and agreements with the County of Hunterdon for the approved Open Space Trust Funds.

RESOLUTION R-2006-126 – continued:

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

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

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2006-127**

WHEREAS, the Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide Program Funds in connection with municipal acquisition of lands for recreation, conservation and general open space purposes; farmland preservation; preparation of plan elements of a municipal Master Plan, and restoration of county owned or municipal owned historic facilities; and

WHEREAS, the Governing Body of Readington Township desires to obtain Open Space Trust Funds in the amount of \$359,135 to fund the following project(s):

Holland Brook and Chambers Brook Greenway (2)
Block 56, Lot 1 (a portion)

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

1. Vita Mekovetz, Administrator/Municipal Clerk, is authorized to:
 - (a) make an application to the County of Hunterdon for Open Space Trust Funds;
 - (b) provide additional application information and furnish such documents as may be required for the Municipal Grants Program;
 - (c) act as the principal contact person and correspondent of the above named municipality.
2. If the County of Hunterdon determines that the application is complete and in conformance with the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan and the Policies and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such adopted policies and procedures, and applicable state and local government rules, regulations and statutes thereto.
3. Mayor Gerard J. Shamey is hereby authorized to sign and execute any required documents and agreements with the County of Hunterdon for the approved Open Space Trust Funds.

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

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

Contract Negotiations – Bedminster - Lamington Hospitality

A **MOTION** was made by Mrs. Muir to schedule the public hearing for this liquor license transfer for October 16, 2006. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded: recorded:

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

Mayor Shamey said the following item was added to the Executive Session Agenda:

Contract Negotiations – Mason, Griffin and Pierson, PC

The following Resolution was offered for consideration:

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL LEGAL SERVICES TO BE PERFORMED ON A ROUTINE BASIS IN CONNECTION WITH RECORDS REQUESTS MADE UNDER THE OPEN PUBLIC RECORDS ACT (N.J.S.A. 47:1A-1 ET SEQ.) #R-2006-124

WHEREAS, the Township of Readington has a need to acquire Professional Legal Services to be performed on a routine basis in connection with records requests made under the Open Public Records Act (*N.J.S.A. 47:1A-1 et seq.*) as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

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

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

WHEREAS, Mason, Griffin & Pierson, PC has submitted a proposal indicating they will provide Professional Legal Services to be performed on a routine basis in connection with records requests made under the Open Public Records Act (*N.J.S.A.47:1A-1 et seq.*) at a rate of \$175 per hour for Attorneys and \$85 per hour for Paralegals; and

WHEREAS, Mason, Griffin & Pierson, PC has completed and submitted a Business Entity Disclosure Certification which certifies that Howa Mason, Griffin & Pierson, PC 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 Mason, Griffin & Pierson, PC 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 Mason, Griffin & Pierson, PC 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 are on file with the Municipal Clerk and are available there for public inspection; and

Mason, Griffin and Pierson, PC – continued:

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

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

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

CONSENT AGENDA:

1. **APPROVAL OF THE MINUTES** of meeting of September 5, 2006.
2. **Application for Membership in NJ Firemen’s Association** – Raymond F. Kerins, Jr.
3. **Application for Membership in NJ Firemen’s Association** – Todd M. Franzen.
4. **Monthly Collection Report** for August, 2006.
5. **Monthly Collection Report for Sewers** for August, 2006.
6. **Tax Refund** – resolution.

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

WHEREAS, it has been determined that the property owner of Block 40, Lot 1.01 is a permanently disabled vet and therefore is tax exempt, date of determination May 13, 2002; and

WHEREAS, the property owner has resided in Readington Township since 1996.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee that the Tax Collector be authorized to refund taxes paid in the amount of \$6,562.95 and cancel 2006 taxes. 7 and 2005 taxes paid in the amount of \$1,346.27.

7. **Payment of the Bills.**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND APPROPRIATION	001	\$ 505,773.05
SEWER APPROPRIATION	002	\$ 672.50
TRUST APPROPRIATION	003	\$ 10,510.61
CAPITAL APPROPRIATIONS	004	\$ 907,686.50
MISC. REFUND, COUNTY TAX, LIENS	005	\$ 1,250.00
PAYROLL DEDUCTIONS	006	\$ 131,085.09
REGIONAL AND LOCAL SCHOOL TAX	007	\$ 2,529,866.58
TOTAL OF ALL FUNDS:		\$ 4,086,844.33

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

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

PUBLIC HEARINGS:

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 80, LOTS 1 AND 2 TO THE COUNTY OF HUNTERDON FOR FARMLAND PRESERVATION

Ordinance #37-2006

Mayor Shamey said this ordinance provides for the conveyance of the agricultural development rights easement on Block 80, Lots 1 & 2 to Hunterdon County for farmland preservation.

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

Mrs. Allen said this is a 64 acre farm that fronts on Route 202 and River Avenue. It has been accepted for funding under the PIG program.

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

A MOTION was made by Mrs. Muir 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 AUTHORIZING THE CONVEYANCE OF AN AGRICULTURAL DEVELOPMENT RIGHTS EASEMENT ON PROPERTY KNOWN AS BLOCK 80, LOTS 1 AND 2 TO THE COUNTY OF HUNTERDON FOR FARMLAND PRESERVATION

Ordinance #37-2006

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

Ordinance #38-2006

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:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 64, LOT 29, OWNER: CHESLA) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$817,000 THEREFOR

AND AUTHORIZING THE ISSUANCE OF \$776,150 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Ordinance #38-2006

Mayor Shamey said this ordinance is a bond ordinance providing for the acquisition of Block 64, Lot 29.

Ordinance #38-2006 – continued:

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

Mrs. Allen said this is a 44 acre farm that fronts on Barley Sheaf Road. This property is a successful applicant in Hunterdon County's 2008 easement purchase round. When the Township closes with the County we will be reimbursed for a total of 80% of the cost from the State and the County.

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

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

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 64, LOT 29, OWNER: CHESLA) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$817,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$776,150 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Ordinance #38-2006

A ***MOTION*** was made by Mrs. Muir 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 #39-2006

A ***MOTION*** was made by Mr. Auriemma to adjourn the regular meeting to hold a Public Hearing. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 65, LOTS 12 AND 12.01, OWNER: LITTLE) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$561,200 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$533,140 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Ordinance #39-2006

Mayor Shamey said this ordinance is a bond ordinance providing for the acquisition of Block 65, Lots 12 and 12.01.

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

Mrs. Allen said this is a 32 acre farm that fronts on Barley Sheaf Road. This property is a successful applicant in Hunterdon County's 2008 easement purchase round. When the Township

closes with the County we will be reimbursed for a total of 80% of the cost from the State and the County.

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

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

Ordinance #39-2006 – continued:

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 65, LOTS 12 AND 12.01, OWNER: LITTLE) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$561,200 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$533,140 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Ordinance #39-2006

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

Ordinance #40-2006

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

Clerk read by Title:

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$195,000 PROVIDING FOR ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$185,850 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

Ordinance #40-2006

Mayor Shamey said this ordinance is a bond ordinance providing for the supplemental appropriation of \$195,000 in order to complete 2003 road improvements. The initial estimates for the road improvements developed in 2002 were based upon prevailing construction costs at that time. Three (3) of the roadways exceeded the initial budget.

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.

Ms. Ingelore Krug said that Old Readington Road is deteriorating. She said that only half of the road was resurfaced.

Mayor Shamey said that comment at this time is only on Ordinance #40-2006.

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

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$195,000 PROVIDING FOR ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$185,850 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

Ordinance #40-2006

Ordinance #40-2006 – continued:

A **MOTION** was made by Mrs. Muir 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 dated September 13, 2006 from Denise B. Doolan, Clerk, Hunterdon County Board of Chosen Freeholders, regarding ***adoption of a Resolution urging support of A-3093/S-1973, which would revise and increase Casino funding to the Senior Citizens and Disable Resident Transportation Assistance Program.***

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2006-128***

WHEREAS, the funding through the Senior Citizen and Disabled Resident Transportation Assistance Program provides critical transportation assistance to Counties in the provision of transportation services; and

WHEREAS, the above referenced bills A-3093 and S-1973 would increase the allocation from 7.5% to 8.5% of the tax assessed to Casinos to provide additional funding to NJ Transit and to the 21 Counties in New Jersey:

- The LINK Consolidated Transportation System has been the only means of public transportation since its inception in 1985.
- In 2005, 179,336 passenger trips were provided to the residents of Hunterdon County. This is a 6.3% increase from 2004.
- The number of Casino Revenue trips provided in 2005 is 41,682. There is a .8% increase from 2004.
- In 2005 the LINK transported 745 passengers each day. There is an 8.6% increase from 2004.
- The first two quarters of 2006 show a 10.6% increase in LINK ridership over the first two quarters of 2005.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon that the NJ Assembly and Senate be urged to support these bills; and

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Readington send copies of this resolution to Assemblyman Wisniewski, NJ Council on Special Transportation, as well as the Somerset County legislative representatives.

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

2. Notice dated August 23, 2006 from Judith A. Sullivan, Municipal Clerk, Twp. Of Bedminster, regarding *adoption 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.*

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

CORRESPONDENCE/OTHER INFORMATION – continued:

3. Notice from Andy S. Norin, Esq., Drinker, Biddle & Reath, regarding hearing before the Bedminster Township Planning Board - *Lobell North, LLC, Block 44, Lots 2.01 & 2.01, Bedminster Township*, noted for information. No action taken.
4. Memorandum dated September 21, 2006 from Diane Pflugfelder, Municipal Clerk, Twp. of Bethlehem, regarding *adoption of a Resolution 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.
5. Memorandum dated September 26, 2006 from Sharon L. Brienza, Municipal Clerk, Twp. of Branchburg, regarding *adoption of Ordinance #2006-1048 Amending the Land Development Ordinance of the Twp. of Branchburg by revising the bulk standards in the R/S-1 and R/S-2 retail service zones, removing automobile service station as a conditional use in the R/S-1 retail service zone and revising the conditional use standards for automobile service stations*, noted for information. No action taken.
6. Notice dated September 14, 2006 from Donna J. Burham, Deputy Municipal Clerk, Twp. of Clinton, regarding *adoption 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.
7. Notice dated September 22, 2006 from Madhu Guru, PE, Section Chief, Bureau of Inland Regulation, NJDEP, regarding *Stream Encroachment - Freshwater Wetlands Permit – Readington Farms, Inc. – Block 9, Lot 21*, noted for information. No action taken.

OLD BUSINESS:

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

Mayor Shamey read the following statement:

The Township, after many, many years dealing with the issue of Solberg Airport and the preservation of the open space surrounding the airport, and after attempts to negotiate a resolution of the issue, which attempts have been unsuccessful unfortunately, filed suit in the Superior Court with an Eminent Domain action.

For thirty years, Township residents have been in limbo while the owners of Solberg Airport have threatened the open space and natural resources surrounding the Airport by taking steps needed to expand its runways. As time passes, the fate of Readington's long-stated preservation priorities remains in doubt, while the Airport readies itself to accept jet traffic.

In an effort to bring some resolution to these long-standing questions, the Township Committee has obtained independent appraisals of the property, has offered full and fair value for open space lands and development rights in accordance with those appraisals, and has undertaken transparent negotiations in good faith. Using our initial offer as a starting point, we indicated a clear willingness to discuss expansions of hangar space and other concessions needed to modernize the Airport and enhance its safety.

The responses from the Solbergs have been evasive. First they requested an extension of time, which the Committee immediately granted, despite the fact that negotiations already had been ongoing for several months dating back to last September. Unfortunately, no amount of time appears sufficient to make negotiations fruitful. On September 7, Lawrence Berger - who has never responded to the Township's request that he clarify his business relationship to the Solberg family - rejected out of hand "limiting the use of the airport" to preclude jets as we had proposed. This is consistent with the Solbergs' position this January, when they refused to continue negotiations after being advised that the Committee would not tolerate expansion of the Airport into the surrounding open space and natural resources.

Solberg Airport – continued:

The last proposal from the Solbergs came in late 2005, and contemplated expansion of the runway to 5,000 feet, with 500,000 square feet of hangar space. Neither Mr. Solberg nor Mr. Berger has made a counter-offer since then, nor does Mr. Berger's September 7 letter provide any explanation of what would constitute a "modernization plan" that does not envision serving jet aircraft and encroaching on the Township's natural resources.

The Township offered a reasonable plan of modernization, which included the following:

- pave the main runway to its fully licensed length of 3,735 feet
- 35,000 square feet to be utilized for administration, classrooms, conference room, single museum, single restaurant.
- construction of up to 150,000 square feet of hangar and office space

Instead, the Solbergs have effectively declared a complete impasse. The Solbergs have spent many years delaying and avoiding the Township's good-faith efforts to resolve this matter. This time - perhaps for the first time - they have done so in the context of a formal, public and transparent process. In doing so, they have left us no choice on how to proceed. It is our hope and belief that this course of action will lead to a relatively swift and final resolution. We should emphasize that this decision allows the Solbergs to retain ownership and control of their airport without modifying its use or configuration, while preserving open space and natural resources.

We filed because we had no choice. If at any time during our preparations to file we had observed any sign whatsoever of bonafide negotiations from the Solbergs we would have stopped the process. But, at no time did that happen. We just saw the same familiar ruse of delays, failures to respond and the complete lack of long-requested information.

This Township is tired of dealing with this issue. This Township Committee is determined to resolve it without any further purposeless delays. None of us wanted to be at this juncture, but we are prepared to take this process to its conclusion.

NEW BUSINESS:

1. ***NJDOT*** – request for waiver of Noise Ordinance.

Mayor Shamey said this is a request from the NJDOT regarding bridge preventive maintenance repairs on Potterstown Road over I-78.

A MOTION was made by Mrs. Muir to grant the NJDOT's request for a waiver of the Township's noise ordinance for bridge preventive maintenance repairs on Potterstown Road over I-78. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

2. ***Changes to Proposed Preliminary State Plan Map*** – recommendation from Planning Board.

Mayor Shamey said the Township Planning Board reviewed a letter from the Hunterdon County Planning Board at their September 25th meeting. The letter referenced anticipated changes to the proposed preliminary State Plan Map. It was the determination of the

Township Planning Board to uphold the original map submission that was the result of the cross-acceptance effort that took place with the County last year.

The Board also requested that the Committee forward a memo to the County Planning Board upholding the original submission of last year.

A MOTION was made by Mrs. Allen to send a letter to the Hunterdon County Planning Board asking them to argue on Readington Township's behalf that the map that they put forward as a result of the cross acceptance effort be forwarded to the Office of Smart Growth as the preferred map. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

NEW BUSINESS – continued:

3. ***Wilmark Building Contractors, Inc./Lake View Drive*** – request for reduction of Performance Bond.

Action on this matter was deferred until the next meeting.

4. ***Fallone at Spring Meadow, LLC vs. Readington Twp.*** - Stipulation of Settlement.

This item was addressed under the Consent Agenda.

5. ***Compass Construction, Inc./Bikeway & Pedestrian Walkway*** – payment #3.

This item was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT:

Written report submitted.

Administrator Mekovetz said she attended the Chamber of Commerce Shared Services meeting on September 29th. They have asked that Readington participate in these meetings as one of the larger municipalities in the County. She said the meetings will be once each month for an hour in the morning.

All agreed that it would be beneficial for Administrator Mekovetz to attend these meetings.

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

ATTORNEY'S REPORT:

Written report submitted.

Attorney Dragan said that the closing was held on the Staats farm last week. In addition, there are two (2) closings with the County scheduled for this week – the Jackson farm and the Dubrowski farm.

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

ENGINEER'S REPORT:

Written report submitted.

Engineer McEldowney said the bikeway/walkway project is under way. The bridge has been completed.

Engineer McEldowney said the annual road improvement projects throughout the Township are on-going.

Engineer McEldowney the Whitehouse Library parking lot has been paved and striped.

COMMITTEE REPORTS:

1. **Gerard Shamey:**

Mayor Shamey said he received a letter from a resident of Goldfinch Lane regarding train whistle noise. Attached to the letter is a memo from the U.S. Department of Transportation regarding the optional use of a wayside horn system. He asked that a letter be sent to the resident acknowledging that his letter was received.

Administrator Mekovetz said there is a new type of whistle and Branchburg was looking into this alternative.

Mrs. Muir said that Montgomery Township is also looking into this newer technology. She suggested that a letter also be sent to Montgomery to obtain additional information.

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

COMMITTEE REPORTS – continued:

2. Julia Allen:

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

3. Thomas Auriemma:

a. Recreation

Mr. Auriemma said a Needs Assessment Task Force was formed in May. He, along with the Department of Recreation, Greta Kenney and two (2) members of the Recreation Committee interviewed three (3) firms that provide Needs Assessment for municipalities.

Mr. Auriemma said Ms. Kenney submitted a summary to the Committee for their review.

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

4. Frank Gatti:

a. Finance Department

1. Tax Refund - resolution.

This item was addressed under the Consent Agenda.

2. Payment of the Bills.

This item was addressed under the Consent Agenda.

b. Police Department

Mr. Gatti said Assemblywoman Marcia Karrow sent a letter to the Mayor congratulating the Police Department for receiving a Domestic Violence Police Training Reimbursement Award in the amount of \$6,609 from the Department of Community Affairs.

Mr. Gatti distributed a draft resolution from the Chair of the Historic Preservation Commission for the Committee's consideration. The Resolution expresses support for Assembly Bill 896.

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2006-128**

WHEREAS, the funding through the Senior Citizen and Disabled Resident Transportation Assistance Program provides critical transportation assistance to Counties in the provision of transportation services; and

WHEREAS, the above referenced bills A-3093 and S-1973 would increase the allocation from 7.5% to 8.5% of the tax assessed to Casinos to provide additional funding to NJ Transit and to the 21 Counties in New Jersey:

- The LINK Consolidated Transportation System has been the only means of public transportation since its inception in 1985.
- In 2005, 179,336 passenger trips were provided to the residents of Hunterdon County. This is a 6.3% increase from 2004.
- The number of Casino Revenue trips provided in 2005 is 41,682. There is a .8% increase from 2004.
- In 2005 the LINK transported 745 passengers each day. There is aN 8.6% increase from 2004.

RESOLUTION R-2006-128 – continued:

- The first two quarters of 2006 show a 10.6% increase in LINK ridership over the first two quarters of 2005.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon that the NJ Assembly and Senate be urged to support these bills; and

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Readington send copies of this resolution to Assemblyman Wisniewski, NJ Council on Special Transportation, as well as the Somerset County legislative representatives.

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

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

5. Beatrice Muir:

a. Public Assistance

Mrs. Muir said there is a Public Assistance meeting tomorrow evening at 7:00 p.m.

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

Mayor Shamey asked that the priority listing of Township roads scheduled for repair be provided to Ms. Krug.

Engineer McEldowney said the list for 2007 has not been finalized. He said he is making every effort to include Old Readington Road either next year or the following year. He said he could meet with Ms. Krug at the site.

COMMENTS FROM THE PUBLIC:

Mayor Shamey asked for comments from the public.

Ms. Ingelore Krug said she met with Engineer McEldowney regarding a buried pipe on her property that Hunterdon County did as a drainage project. The drainage pipe is failing.

Ms. Krug said that only half of Old Readington Road has been completed and the road is beginning to deteriorate.

Mr. Jerry Cook said there is a problem with vehicles trying to enter the exit at the Station Center Mall on Route 22. He said simple “exit only” signage may help to alleviate the situation.

Ms. Karen Jenkin said there has been no updates regarding deer control in the Township. She said it is a health and safety issue.

Mrs. Muir said the Township leases parcels to hunting clubs each year.

Ms. Jenkin said she read that the State will no longer pick-up dead deer.

Mayor Shamey said the Township has contracted with Deer Carcass Removal for this service.

Administrator Mekovetz said the awarding of the contract was advertised.

Ms. Jenkin asked why the Committee did not discuss the fact that they were moving forward with Eminent Domain proceedings regarding Solberg Airport at their September 18th meeting.

Mayor Shamey said the Committee had previously adopted a resolution authorizing special counsel to undertake any and all actions necessary in order to move forward with municipal acquisition of the portion of the property. There was no formal action that needed to be taken.

COMMENTS FROM THE GOVERNING BODY:

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

ADJOURNMENT

As there was no further business, a motion was made by Mrs. Muir at 9:35 p.m., seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC
Administrator\Municipal Clerk