

**READINGTON TOWNSHIP COMMITTEE
MEETING – October 20, 2008**

Mayor Auriemma *calls the meeting to order at 6:30 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Mayor T. Auriemma, Deputy Mayor J. Allen, Mr. F. Gatti

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan, Engineer McEldowney

ABSENT: Mrs. B. Muir, Mr. G. Shamey

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 Committee of 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 Anticipate When Disclosed to Public</u>
Contract Negotiations.....	Agreement for Vehicle Fueling..... Three Bridges Volunteer Fire Co.	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Contract Negotiations.....	Agreement for Vehicle Fueling..... Whitehouse Rescue Squad	“ “ “
Contraction Negotiations.....	Department of Public Works.....	“ “ “
Contract Negotiations.....	Patrolmen/Sergeants.....	“ “ “
Personnel.....	Administration Office.....	“ “ “
Personnel.....	Personnel Matters.....	“ “ “
Litigation.....	COAH Appeal/Pietrazsweski.....	“ “ “
Land Acq/Contract Negotiations...	Block 75, Lot 33 (HannaSaqa)....	“ “ “
Land Acq/Contract Negotiations.....	Block 22, Lot 6 (Jensen).....	“ “ “
Attorney-Client Privilege.....	Executive Session Minutes (October 6, 2008)	“

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)
Land Acq/Contract Negotiations..... Block 3, lot 3.01 (Renda)..... “ “ “

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”.

2. This Resolution shall take effect immediately.

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

The meeting reconvened at 7:55 p.m.

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

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

Contract Negotiations/Agreement for Vehicle Fueling/Three Bridges Volunteer Fire Co.

A **MOTION** was made by Mr. Gatti to approve the agreement for vehicle fueling at the Municipal Garage for Three Bridges Volunteer Fire Co., seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations/Agreement for Vehicle Fueling/Whitehouse Rescue Squad

A **MOTION** was made by Mr. Gatti to approve the agreement for vehicle fueling at the Municipal Garage for Whitehouse Rescue Squad, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations/Department of Public Works

Mayor Auriemma stated this matter remains in Executive Session.

Contract Negotiations/Patrolmen/Sergeants

Mayor Auriemma stated this matter remains in Executive Session.

Personnel/Administration Office

The following Ordinance was offered for introduction:

***AN ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY CREATING THE MUNICIPAL POSITION OF QUALIFIED
PURCHASING AGENT***

ORDINANCE #30 -2008

Ordinance # 30-2008 cont'd:

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 established and created the position of Qualified Purchasing Agent in and for the Township of Readington.

Section 2. Requirements

1. The person holding this position must fulfill the qualifications set forth in N.J.S.A. 40A:11-9b, meet the criteria set forth in N.J.A.C. 5:34-5.1 (a) and hold the certification of a Qualified Purchasing Agent.

Section 3. Function and Definitions

The Qualified Purchasing Agent shall have the following functions, duties and responsibilities.

1. Purchase, in accordance with the provisions of the applicable statutes and sound purchasing practices, all goods and services for the various departments, agencies, boards and other offices of the Township.
2. Execute all purchase orders and contracts up to the bid threshold authorized by statute and adopted by resolution of the Township Committee.
3. Exercise the authority to join with other units of government, including state, county board of education and other contracting units in cooperative purchasing plans as permitted by statute, and when authorized by resolution of the Township Committee.
4. Recommend to the Township Committee rules and regulations governing the requisition and purchase of all goods and services, consistent with the provisions of this section and governing statutes and administrative code regulations.
5. Sell or dispose of all obsolete, unused or unneeded personal property of the Township in accordance with applicable statutes, regulations and/or resolutions or ordinances of the Township Committee.

Section 4. Effective Date

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

Section 5. This ordinance repeals all prior ordinances and portions of ordinances inconsistent herewith.

Section 6. 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. Gatti and on Roll Call vote the following was recorded:

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

A Public Hearing was scheduled for 8:00 p.m. on November 5, 2008.

Personnel/Personnel Matters

Mayor Auriemma stated this matter remains in Executive Session.

Litigation/COAH Appeal/Pietraszewski

Attorney Dragan stated that this was an appeal of a required developer's fee that was being imposed on the Pietraszewski property, Block 69, Lot 13.23. Our Ordinance required that fee be imposed; however the appeal was filed with COAH, asking for a waiver of the growth share applicability to this situation because the dwelling is being reconstructed due to a fire. Attorney Dragan stated the Township has been advised COAH has a rule pending to exempt any reconstruction that results from fire, flood or natural disaster. Attorney Dragan stated a similar situation occurred in Franklin Borough earlier this year and COAH directed them to exempt the construction of the new unit from the Borough growth share obligation and return the development fee in its entirety. Attorney Dragan stated this proposed resolution would do the same, however the first half of the fee that has been paid will continue to be held in escrow until notification is received that the rule has become effective. Attorney Dragan stated once the ruling is in effect, the first portion of the fee will be returned.

The following Resolution was offered for consideration:

R-2008-119

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, the Township of Readington ("Township") is in receipt of a motion made to the New Jersey Council on Affordable Housing ("COAH") requesting relief from the Township's imposition of a COAH development fee on a residential construction project being undertaken on property known as Block 69, Lot 13.23 (21 Witherspoon Street) in the Township, which property is owned by Kimberly and Joseph Pietraszewski, Sr.; and

WHEREAS, the aforementioned fee was imposed in accordance with Township Land Use Ordinance Sec. 148-111. et seq. which requires the payment of development fees for residential and non-residential construction projects (except for certain exceptions) in order to assist in funding the Township's affordable housing obligations, in accordance with COAH's rules and regulations; and

WHEREAS, the purpose of the construction on the Pietraszewski property is to build a new residential dwelling in order to replace the previous dwelling which was completely destroyed due to a fire; and

WHEREAS, the Township has been advised by COAH that its growth share rules found at N.J.A.C. 5:97-2.5 are in the process of being amended so as to "exempt reconstruction that results from fire, flood or natural disaster" and that the purpose of the revision to respond a similar situation that occurred in the Borough of Franklin (Sussex County) earlier this year where COAH directed the Borough to exempt the construction of the new unit from the Borough's growth share obligation and to return the development fee in its entirety; and

WHEREAS, the new aforementioned rule revision is slated to become effective in February of 2009.

WHEREAS, the Township Committee understands that as a result of the pending rule change, the residential construction project being undertaken by Pietraszewski, as a result of their original home's destruction by fire, will not result in additional growth share obligation being imposed on the Township by COAH in this case; therefore, there is no reason to impose the fee under the Township's ordinance; and

WHEREAS, in view of the pending rule change and precedent set in this matter by the Borough of Franklin case, the parties have reached a mutually acceptable settlement; and

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

Resolution #R-2008-119 cont'd:

1. For the reasons expressed above, the Township agrees to settle the within matter by waiving the imposition of the entire development fee (\$8,114.00 total) under Township Ordinance #148-111 et seq. However, the portion of the development fee previously paid by the Pietraszewskis (\$4,057.00) will continue to be held by the Township until the Township receives notification that the pending COAH rule revision exempting reconstruction projects which result from fire, flood or natural disaster [N.J.A.C. 5:97-2.5 (a)1v] has in fact become effective. Once the rule amendment is effective, the Township shall return the development fees previously collected in conjunction with the property.

2. The Mayor, Township Administrator/Clerk, Township Attorney, Construction Code Official, Tax Assessor and/or Tax Collector are all authorized, as may be applicable, to effectuate the settlement of this matter and the action needed to implement this resolution.

3. This resolution shall take effect immediately.

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

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

Land Acquisition/Contract Negotiations/HannaSaqa (Block 75, Lot 33)

Mrs. Allen stated that at the last meeting a resolution was passed which approved the purchase of the development easement on Block 75, Lot 33 and committed funding of the purchase of the development easement. Mrs. Allen stated municipal funding is 20%, county funding is 20% and SADC is 60%. However, because we are at the end of the ten year Garden State preservation funding, there is not quite enough funding set aside for the grant to cover the entire amount, which represents the 60% of the certified value, creating a shortfall. Mrs. Allen requested that the Committee rescind Resolution and consider the following Resolution:

R-2008-120

TOWNSHIP OF READINGTON

RESOLUTION

WHEREAS, the State Agriculture Development Committee (SADC) certified the Fair Market Value (FMV) of \$22,000 per acre for the development easement on the Saqa-Ghattas (Block 75, Lot 33 - 114 acres) farm, which is contained in Readington Township's 2005A Round Planning Incentive Grant II list of farms; and

WHEREAS, the SADC approved the ten (10) year allocation of \$1,531,200 to be appropriated from the Garden State Preservation Trust, Farmland Preservation Fund, for Readington Township's Planning Incentive Grant VIII application, conditioned upon Garden State Preservation Trust, legislative and gubernatorial appropriation; and

WHEREAS, based on Readington Township's application, the County of Hunterdon will provide a cost share of at least 20% for the purchase of the development easements, holding title to the development easements.

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

1. Approves the purchase of the development easement on Block 75, Lot 33 (HannaSaqa)

Resolution #R-2008-120 cont'd:

2. Commits to funding the purchase of the development easement on Block 75, Lot 33 (Saqa-Ghattas) and agrees to fund Readington's 20% portion estimated to be \$501,600, plus the additional \$1,000 per acre per Readington's contract with the property owner (\$23,000/acre), as well as any SADC shortfall (estimated not to exceed \$362,340) below the usual 60% funding, if necessary.
3. Will request the County of Hunterdon to increase its cost share to 24% to help address the aforesaid SADC shortfall.

BE IT FURTHER RESOLVED, that the Municipal Clerk is directed to forward certified copies of this Resolution to the County Agricultural Development Board and the State Agricultural Development Committee as requested and required.

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. Gatti - Aye
Mayor Auriemma - Aye

Land Acquisition/Contract Negotiations/Jensen (Block 22, Lot 6)

Mayor Auriemma stated this matter remains in Executive Session.

Attorney-Client Privilege/Executive Session Minutes (October 6, 2008)

A **MOTION** was made by Mr. Gatti to approve the Executive Session Minutes of October 6, 2008 for content only, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

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

Mayor Auriemma stated this matter remains in Executive Session.

Mayor Auriemma stated that the following matter has been added to the Executive Session agenda.

Land Acquisition/Contract Negotiations/Block 3, Lot 3.01 (Renda)

A **MOTION** was made by Mrs. Allen to approve the amended contract, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

CONSENT AGENDA:

Mayor Auriemma read the following statement:

All items listed with an asterisk "*" are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

- *1. **APPROVAL OF MINUTES** of meeting of October 6, 2008.

- *2. ***Request for refund of escrow***- Block 39, Lot 3 (Nahvi)
- *3. ***Firemen’s Membership Application*** – Braden K. Moore
- *4. ***Lien Redemption*** – Block 36, Lot 1

The following Resolution was offered for consideration:

RESOLUTION

READINGTON TOWNSHIP, HUNTERDON COUNTY

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 36, Lot 1 and,

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

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$14,511.36, plus a premium paid in the amount of \$12,200.00, known as Tax Sale Certificate #540, to the lien holder, Park Finance, LLC.

- *5. ***Lien Redemption*** – Block 70, Lot 27.32

The following Resolution was offered for consideration:

RESOLUTION

READINGTON TOWNSHIP, HUNTERDON COUNTY

WHEREAS, the property owner has paid to the Tax Collector the amount necessary to redeem the lien on Block 70, Lot 27. 32 and,

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

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$8,636.55 plus a premium paid of \$1,500.00, known as Tax Sale Certificate #573, to the lien holder, Rainbow Associates.

- *6. ***Lien Redemption*** – Block 95, Lot 12.327

The following Resolution was offered for consideration:

RESOLUTION

READINGTON TOWNSHIP, HUNTERDON COUNTY

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 95, Lot 12.327 and,

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

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$294.89, known as Tax Sale Certificate #578, to the lien holder, Tad J. Dabrowski.

*7. **Lien Redemption** – Block 36, Lot 5

The following Resolution was offered for consideration:

RESOLUTION

READINGTON TOWNSHIP, HUNTERDON COUNTY

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 36, Lot 5 and,

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

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$368,191.64 plus a premium paid of \$100.00, known as Tax Sale Certificate #525, to the lien holder, Wachovia-Cust/SASS Muni V dtr.

*8. **Payment of Bills**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND	8-01	\$ 694,932.33
SEWER APPROPRIATIONS	8-02	\$ 12,630.89
TRUST FUNDS	X-03	\$ 16,637.76
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 425,718.81
PAYROLL DEDUCTIONS	X-06	\$ 177,793.44
REGIONAL & LOCAL SCHOOL TAX	X-07	\$5,558,183.30
2006 CAPITAL ORDIN.	X-66	\$ 13,038.94
2008 CAPITAL ORDIN.	X-88	\$ 68,761.74
TOTAL OF ALL FUNDS		\$ 6,967,697.21

A **MOTION** was made by Mr. Gatti to approve the Consent agenda, seconded by Mrs. Allen and on Roll Call vote the following was recorded.

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

PUBLIC HEARING:

1. **AN ORDINANCE AUTHORIZING A LICENSING AGREEMENT BETWEEN THE TOWNSHIP OF READINGTON AND FIBER TECHNOLOGIES NETWORKS, LLC TO PERMIT THE INSTALLATION, USE AND MAINTENANCE OF TELECOMMUNICATIONS FACILITIES WITHIN CERTAIN PUBLIC RIGHTS-SERVICES**

Ordinance #29 - 2008

Administrator Mekovetz stated that it was noted the publication of the Ordinance for Public Hearing did not make the required deadline because the computers of the newspaper were down. Therefore, the Ordinance was not published when it was supposed to be and the required ten day notification had not been met. The Public Hearing cannot occur and must be rescheduled.

The Public Hearing was rescheduled for 8:00 p.m. November 5, 2008.

CORRESPONDENCE/OTHER INFORMATION:

1. Letter dated October 7, 2008 from Michael J. Filippone, Director of Rates and Regulatory Affairs-NJ, Jersey Central Power and Light regarding *a copy of the Notice of Filing and Public Hearing related to a petition filed by Jersey Central Power & Light (“JCP&L”) for Proposed New Demand Response Programs*. No action taken.
2. Notice of Public Hearing held by the Hunterdon County Consolidated Transportation Department, “The Link” *regarding county fare increases*. No action taken.
3. Memorandum dated October 9, 2008 from Laura Eidsvaag, Municipal Clerk/Administrator regarding *resolution supporting the county referendum on the November 4th, 2008 ballot to renew the Hunterdon County Open Space, Recreation, Farmland and Historic Preservation Trust Fund*. No action taken.
4. Public Notice from Debora Padgett, Planning Board Clerk, Township of Hillsborough regarding *review and adoption of Master Plan Reexamination Report*. No action taken.

OLD BUSINESS:

None.

NEW BUSINESS:

1. **Emergency Services/Hazardous Substances Abatement/Ordinance** – consideration of an ordinance

Attorney Dragan suggested that “Level One First Responder Awareness” and “Level One First Responder Operational” be defined. Attorney Dragan stated she will continue to work on the draft for more clarification.

2. **Dog Licensing** – consideration of an amendment to the Ordinance

The following Ordinance was offered for consideration:

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE FOR THE REGISTRATION, LICENSING AND REGULATIONS OF DOGS IN THE TOWNSHIP OF READINGTON, THE COUNTY OF HUNTERDON, AFFIXING THE VIOLATION THEREOF, AND REPEALING A PRIOR ORDINANCE RELATIVE THERETO”

Ordinance #31-2008

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

SECTION 1. Section ' 6 contained in “*an Ordinance for the Registration, Licensing and Regulations of Dogs in the Township of Readington, the County of Hunterdon, Affixing the Violation Thereof, and Repealing a Prior Ordinance Relative Thereto*” is revised as follows [additions are indicated **thus**, deletions are indicated ~~thus~~]:

Pursuant to R.D. 4:19-15.12 (1954), the owner of any dog of licensing age shall pay an annual license fee of ~~\$10.00~~ **\$12.00** (if spayed/neutered); ~~\$13.00~~ **\$15.00** (if not spayed/neutered) for each dog. These fees include the \$1.00 registration fee and the .204 pilot clinic fee. All licenses and registrations shall expire on January 31st of each year succeeding the calendar year for which licensed.

Ordinance #31-2008 cont'd:

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

SECTION 3. This ordinance supersedes and repeals any portion of any previous ordinance inconsistent herewith.

SECTION 4. This ordinance shall take effect immediately upon final passage and publication in accordance with law.

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

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

The Public Hearing was scheduled for 8:00 p.m. November 5, 2008.

3. **Limousine License** – consideration of an amendment to the Ordinance

Attorney Dragan stated this Ordinance is basically taken from a combination of the taxicab and limousine regulations from the Statutes and this amendment updates the Township Ordinance to comply with what has been updated in those Statutes.

The following Ordinance was offered for consideration:

**AN ORDINANCE AMENDING CHAPTER 215 OF THE CODE OF THE TOWNSHIP OF
READINGTON, PERTAINING TO TAXICABS (AUTOCABS) AND LIMOUSINE
LICENSING**

ORDINANCE #32 -2008

BE IT ORDAINED by the Mayor and the Township Committee of the Township of Readington in the County of Hunterdon, State of New Jersey that Chapter 215 of the Code of the Township of Readington, pertaining to Taxicabs and Limousine Licensing is hereby amended as follows (Additions or revisions are underlined thus _____):

Section 1. The following revisions/additions are made to Section 215-1. Definitions:

“Limousine” – means and includes any automobile or motor car used in the business of carrying passengers for hire to provide prearranged passenger transportation at a premium fare on a dedicated, nonscheduled, charter basis that is not conducted on a regular route and with a seating capacity in no event of more than 14 passengers, not including the driver, provided that such a vehicle shall not having a seating capacity in excess of four passengers, not including the driver, beyond the maximum passenger seating capacity of the vehicle, not including the driver, at the time of manufacture. As used herein “limousine” does not include taxicabs (ie. autocabs), hotel buses, buses or buses employed solely in transporting school children or teachers, vehicles owned and operated directly or indirectly by businesses engaged in the practice of mortuary science when those vehicles are used exclusively for providing transportation related to the provision of funeral services, autobuses which are subject to the jurisdiction of the Department of Transportation, or interstate autobuses required by federal or State law or regulations of the Department of Transportation to carry insurance against loss from liability imposed by law on account of bodily injury or death.

Ordinance #32-2008 cont'd:

Person – Includes any individual, copartnership, associations, corporation, limited liability company or joint-stock company, their lessee, trustees or receivers appointed by any court whatsoever.

Section 2. Section 215-2 Consent to Operate Required is hereby amended to provide the following additional provisions:

A. No autocab, limousine or livery service shall be operated along any street in the Township of Readington until the owner thereof shall obtain: 1) a license from the Clerk of the Township demonstrating that the owner has complied the provisions of N.J.S.A. 48:16-13 et seq. (in the case of limousines and livery service); or 2) a license from the Clerk of the Township upon consent of the municipal governing body in accordance with N.J.S.A. 48:16-1 et seq. (in the case of autocabs), as either statute may be amended from time to time.

B. The fee for a license for an autocab, limousine or livery service shall be \$50.00.

C. The license shall recite the name of the insurance company, the number and date of expiration of the policy, a description of every limousine or autocab insured thereunder and the registration of the same.

D. The original license shall be retained within the limousine or autocab and shall be available for inspection by any police officer within the Municipality and in the State. However, in the case of limousines, in lieu of the recital of insurance information required by the license pursuant to N.J.S.A. 48:16-13 et seq., the owner of a limousine may affix to the original license retained within a limousine a notarized letter from an insurance company containing the same insurance information required in the recital, which shall constitute proof of insurance coverage, and which shall also be available for inspection by any police officer in the Municipality and in the State. A copy of the notarized letter shall constitute proof to the Municipality and to the NJ Director of Motor Vehicles, that the owner has complied with the insurance provisions of this ordinance and State statute.

Section 3. Section 215-3A of Required Insurance is hereby deleted in its entirety and shall be replaced with the following:

A. (1) No such consent shall be effective until the owner of the autocab, limousine or livery service shall have filed with the Clerk of the Township of Readington and insurance policy that is in compliance with N.J.S.A. 48:16-14 or N.J.S.A. 48:16-3, as may be applicable.

(2) The insurance policy must provide that the Township will be notified by the insurance company at least thirty (30) days prior to cancellation. If the Division of Motor Vehicles suspends a limousine driver's registration privilege pursuant to N.J.S.A. 48:16-14, the limousine owner's municipal license shall also be automatically suspended and must be surrendered to the municipality. In the event an autocab owner fails to keep his, her or its insurance policy in place, the Township may revoke the license in accordance with the procedures set forth in N.J.S.A. 48:16-10, et seq.

Section 4. This ordinance supersedes any ordinances, sections or portion(s) of Chapter 215 of the Readington Township Code or any other Township ordinance inconsistent herewith.

Section 5. This ordinance shall become effective immediately upon publication according to law.

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

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

The Public Hearing was scheduled for 8:00 p.m. November 5, 2008.

4. **2008-2009 Liquor License Request for an extension** – resolution- ASKJAC/
Straffi

Administrator Mekovetz stated that ASK/JAC which held the liquor license went out of business and because there was no tax clearance certificate at regular renewal time, it was not done. Administrator Mekovetz stated that the court appointed a trustee and an application to renew the license and extend it to the trustee has been provided.

The following Resolution was offered for consideration:

R-2008-121

TOWNSHIP OF READINGTON

RESOLUTION AUTHORIZING ALCOHOLIC BEVERAGE LICENSE RENEWALS

BE IT RESOLVED, by the Township Committee of the Township of Readington that the following Readington Township Alcoholic Beverage License Renewals for 2008-2009 be approved:

PLENARY RETAIL CONSUMPTION

<u>LICENSE NUMBER</u>	<u>LICENSE HOLDER</u>	<u>MUNICIPAL FEE</u>	<u>STATE FEE</u>
1022-33-009-003	ASKJAC LLC/ Daniel E. Straffi, Trustee	\$1,537.92	\$200.00

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

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

The following Resolution was offered for consideration:

R-2008-123

TOWNSHIP OF READINGTON

RESOLUTION AUTHORIZING EXTENSION OF ALCOHOLIC BEVERAGE LICENSE

BE IT RESOLVED, by the Township Committee of the Township of Readington that the following Readington Township Alcoholic Beverage License has an Extension of License for 2008-2009 be approved:

PLENARY RETAIL CONSUMPTION

<u>LICENSE NUMBER</u>	<u>LICENSE HOLDER</u>
1022-33-009-003	ASKJAC LLC/ Daniel E. Straffi, Trustee

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

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

5. **Request for Sewer Capacity** – Block 21.13, Lot 13 and 14 (Van Dorn)

A **MOTION** was made by Mrs. Allen to approve, based on the Sewer Advisory’s recommendation, that the allocation for Block 21.13, Lot 13, is five (5) sewer units and the allocation for Block 21.13, Lot 14, is three (3) sewer units, and to authorize Attorney Dragan to draft a sewer agreement, seconded by Mr. Gatti and on Roll Call Vote the following was recorded:

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

6. **Special Event** – request to hold Relay for Life-Hillcrest Park, June 13, 2009

Mayor Auriemma stated he would like to defer this matter in order to address a prior noise complaint from a resident.

7. **Reduction in Performance Guarantee**- Country Classics Legacy at Readington, Block 36, Lots 93, 94 & 95

The following Resolution was offered for consideration:

R-2008-122

**TOWNSHIP OF READINGTON
 RESOLUTION**

WHEREAS, Country Classics Legacy of Readington, LLC. did on April 1, 2008 file a written request with the Township of Readington for a reduction in Cash Performance Guarantee Check #1250 in the amount of \$50,259.00 and Performance Bond #PAIFSU0448745 in the amount of \$452,333.00 for work completed on Block 36, Lots 93, 94 and 95; and

WHEREAS, the Township Engineer has confirmed that a certain amount of work has been done by Country Classics Legacy of Readington, LLC. on said property; and

WHEREAS, in accordance with the Municipal Land Use Law the Township may retain up to 30% of a Performance Bond to assure the completion of site work; and

WHEREAS, the Township Engineer has supplied a reduced bond amount for Cash Performance Guarantee Check #1250 and Performance Bond #PAIFSU0448745, as indicated in his letters of April 17, 2008, and October 13, 2008 based upon the Municipal Land Use Law

Bond or Check	Original Bonded Amount @ 120%	April 2008 Recommended Reduction for Work Completed	October 2008 Recommended Reduction for Work Completed	Remaining Performance Guarantee @ 120% Value
International Fidelity Ins. Co #PAIFSU0448745	\$452,333.00	\$30,116.00	\$112,162.00	\$310,055.00
Check	\$50,259.00	\$3,346.00	\$12,462.00	\$34,451.00
Total	\$502,592.00	\$33,462.00	\$124,624.00	\$344,506.00

Resolution # R-2008-122:

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that authorization is hereby given to reduce Cash Performance Guarantee Check #1250 and Performance Bond #PAIFSU0448745, as recommended by the Township Engineer; and

BE IT FURTHER RESOLVED, that authorization is given to the Township Clerk to forward copies of this Resolution approving these reduced amounts to the applicant.

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. Gatti	-	Aye
Mayor Auriemma	-	Aye

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported that the Garbage Hauling bid has been advertised for a bid opening in early December.

ATTORNEY'S REPORT

Attorney Dragan stated she had nothing further to report.

COMMITTEE REPORTS

Thomas Auriemma

Mayor Auriemma reported the Halloween Party held on the Vislocki property this past Saturday was a huge success and Mr. Allen was kind enough to provide hayrides for the approximately 150 children.

Julia Allen

Mrs. Allen reported an Open Space walk took place on Sunday on the Vislocki property and on Saturday evening a barn dance was held.

Frank Gatti

COMMENTS FROM THE PUBLIC

Larry Halpern of Hunter's Crossing asked the Committee to consider dropping the dog licensing fee and reevaluate the condemnation of the Solberg property. Mr. Halpern suggested asking judges and police officers to be subject to drug testing.

Kevin Grassi, a star scout of Stanton NJ, stated he was attending a Township Committee meeting to earn his "Citizenship With The Community" merit badge.

COMMENTS FROM THE GOVERNING BODY

There were none.

As there was no further business, A **MOTION** was made by Mr. Gatti at 8:50 p.m. to adjourn the meeting, seconded by Mrs. Allen with a vote of all ayes, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/RPPO
Administrator/Municipal Clerk