

**READINGTON TOWNSHIP COMMITTEE  
MEETING – NOVEMBER 6, 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**

<b><u>Subject Matter</u></b>	<b><u>Basis of Public Exclusion</u></b>	<b><u>Date Anticipated When Discussion Will Be Disclosed to Public</u></b>
Three Bridges Library.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
PBA - Lieutenant's Contract.....	Contract Negotiations.....	" " "
Block 36, Lots 9 & 27 (Cook).....	Contract Negotiations.....	" " "
Block 64, Lots 29 (Chesla).....	Contract Negotiations.....	" " "
Attorney-Client Privilege.....	Contract Negotiations.....	" " "
Block 39, Lot 14 (Cuchiaro).....	Contract Negotiations.....	" " "
Readington-Lebanon Sewerage Authority.....	Contract Negotiations.....	" " "
Perillo Auction & Liquidation Services, Inc.....	Contract Negotiations.....	" " "
Recreation - Needs Assessment .....	Contract Negotiations.....	" " "
Awarding of ECHO Installation & Removal Bids...	Contract Negotiations.....	" " "
East Whitehouse Fire Dept. Pumper Specifications.....	Contract Negotiations.....	" " "
Liberty Hill Realty, Inc. & Rene Salamon v. Illva Saronno Corp., Angelo Reina, David Kelso and Readington Twp.....	Litigation.....	" " "
Executive Session Minutes.....	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.....	" " "
Professional Services.....	Contract Negotiations.....	" " "

***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 Mr. Auriemma 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 the following business was completed during Executive Session:**

***Personnel - Three Bridges Library***

A ***MOTION*** was made by Mr. Auriemma to accept the resignation of Carol Jablonski, part-time assistant at the Three Bridges Library and to send a letter thanking her for her service. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

***Contract Negotiations - PBA - Lieutenant's Contract***

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

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

A ***MOTION*** was made by Mrs. Allen to authorize Attorney Dragan to prepare a contract for Block 36, Lots 9 & 27 (Cook). This motion was seconded by

***Contract Negotiations - Block 64, Lots 29 (Chesla)***

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

***Contract Negotiations - Attorney-Client Privilege***

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

***Contract Negotiations - Block 39, Lot 14 (Cuchiaro)***

Mayor Shamey said no action was taken on this matter.

***Contract Negotiations - Readington-Lebanon Sewerage Authority***

A ***MOTION*** was made by Mrs. Muir to approve the 5<sup>th</sup> Addendum to the Agreement dated December 22, 1976 between the Readington-Lebanon Sewerage Authority and the Township of Readington and the Borough of Lebanon. This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

**Contract Negotiations - Perillo Auction & Liquidation Services, Inc.**

A **MOTION** was made by Mrs. Muir to approve the agreement with Perillo Auction & Liquidation Services, Inc. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

The following resolution was offered for consideration:

**READINGTON TOWNSHIP  
 RESOLUTION  
 R-2006-132**

**WHEREAS**, the Public Works Director has presented a list of municipally owned items as shown on the attached Appendix "A" that are no longer needed for public use; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-36 a governing body may authorize the sale of municipally owned personal property not needed for public use.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Readington does hereby declare the items listed on the attached Appendix "A" as surplus; and

**BE IT FURTHER RESOLVED**, that the Township Committee of the Township of Readington does hereby authorize a public auction to be held on July 19, 2003 at the Readington Township Public Works Facility at 287 Mountain Road, Whitehouse Station, New Jersey.

ITEM NO.	YEAR	VIN OR SERIAL NO.	BRAND	DESCRIPTION	CONDITION
1	1991	1B7KM26Z2MS210205	Dodge	Pickup, 3/4 ton, 132,112 miles, auto trans	Runs
2	1986	1GTM7D2FXFV628617	GMC	GMC 7000 Cab/chassis, 4x4, auto trans, 12,016 miles (formerly a Military Troop carrier), GVRW 26,500 lbs	Runs
3	1984	1GDHK34M8EV522814	GMC	High Sierra 3500 cab/chassis with utility body & generator, std trans, 56,153 miles Utility body: (installed 1997) "Knapheide", model 7108D54C, 60" CA, 94" wide dual wheel Generator: "Power Gard" model 3536TE, 3.5 kw, 120/240 volt, 3 phase	Runs
4	1992	Vin no. 1G1BL5379NW158064	Chevy	Caprice, Police Pkg, 305 engine, Grey, 104,800 miles	Runs
5	1996	Vin no. 2FALP71W5TX167891	Ford	Crown Vic, Police Pkg, 4.6 liter, White, 117,797 miles	Bad motor
6	2000	Vin no. 2FAFP71W9YX110162	Ford	Crown Vic, Police Pkg, 4.6 liter, White, 105,246 miles	Bad transmission
7	2001	Vin no. 2FAFP71W81X119781	Ford	Crown Vic, Police Pkg, 4.6 liter, White, 119,967 miles	Bad transmission
8		93174407	Homelite	Generator, 3500 watts, 120/240 volt, model 176A35-1B	Runs

A **MOTION** was made by Mrs. Allen to approve the list of items to be auctioned, as amended. This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

***Perillo Auction & Liquidation Services, Inc. – continued:***

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

***Contract Negotiations - Recreation - Needs Assessment***

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
A RECREATION NEEDS ASSESSMENT  
#R-2006-133***

***WHEREAS***, the Township of Readington has a need to acquire a Recreation Needs Assessment 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***, Toole Recreation Planning has submitted a proposal indicating they will provide a Recreation Needs Assessment at rates as detailed in the contract; and

***WHEREAS***, Toole Recreation Planning has completed and submitted a Business Entity Disclosure Certification which certifies that Toole Recreation Planning 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 Toole Recreation Planning 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 Toole Recreation Planning 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 November 5, 2007; and

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

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

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

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

***Contract Negotiations - Awarding of ECHO Installation & Removal Bids***

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON  
RESOLUTION  
R-2006-134***

***WHEREAS***, the Township of Readington (hereinafter "Township") on October 23, 2006, opened sealed bid proposals from one (1) bidder for the ECHO Unit Installation and 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 and Repair, Inc. in the amount of \$52,400.00; and

***WHEREAS***, upon review of the bid, it has been determined that the bidder failed to submit a completed Stockholder's Disclosure Statement, Bid Security, Consent of Surety and Business Registration Certificate as required by the bid package and that the bid, consequently, is non-responsive; and

***WHEREAS***, this is the second occasion on which bids have been advertised for this project where no bids responsive to the advertisement have been received. On the prior occasion, the only bid received was from the same bidder and it was also defective. *N.J.S.A. 40A:11-5(3)* provides that, in the event no responsive bids are received on two separate occasions, then a contract may be negotiated and thereafter awarded upon resolution adopted by a  $\frac{2}{3}$  majority of the governing body provided that the statutory conditions are met.

***NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:***

1. The bid received from Konya's Mobile Home Service & Repair is considered non-responsive based on the omission of the completed Stockholder's Disclosure Statement, Bid Security, Consent of Surety and Business Registration Certificate as required by the bid specifications.
2. The Township Committee hereby rejects the bid received from Konya's Mobile Home Service & Repair, Inc., as a non-responsive bid.
3. This is the second occasion on which the Township has received non-responsive bids for the ECHO Unit Installation and Removal project.
4. The Township Administrator/Clerk is authorized to attempt to negotiate a contract in accordance with the provisions of *N.J.S.A. 40A:11-5(3)*, *et seq.* and report back to the Township Committee regarding same.
5. This resolution shall take effect immediately.

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

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

***Contract Negotiations - East Whitehouse Fire Dept. Pumper Specifications***

A **MOTION** was made by Mrs. Muir to approve the bid specifications for the East Whitehouse Fire Department Pumper, contingent on review and approval by Attorney Dragan. 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

***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.

***Attorney-Client Privilege - Executive Session Minutes (September 18, 2006 & October 2, 2006)***

A **MOTION** was made by Mrs. Allen to approve the Executive Session Minutes from the meetings of September 18, 2006 & October 2, 2006 for content. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

***Contract Negotiations - 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.

***Contract Negotiations - Professional Services: Gebhardt & Kiefer***

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
SPECIAL COUNSEL SERVICES  
#R-2006-135***

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

**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**, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC has submitted a proposal indicating he will act as Special Counsel at the rate of \$200 per for the following matter:

- to represent the Township in the Kevin J. Devine & Taxpayers Alliance of Readington v. Mayor & Township Committee of Twp. of Readington and Twp. of Readington litigation

**WHEREAS**, Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC has completed and submitted a Business Entity Disclosure Certification which certifies that Richard P. Cushing, Esq. of Gebhardt & Kiefer, 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 Richard P. Cushing, Esq. of Gebhardt & Kiefer, PC from making any reportable contributions through the term of the contract; and

**Professional Services: Gebhardt & Kiefer – continued:**

**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 Richard P. Cushing, Esq. of Gebhardt & Kiefer, 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

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

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

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

**CONSENT AGENDA:**

1. **APPROVAL OF THE MINUTES** of meeting of October 16, 2006.
2. **Mannon Excavating & Paving/Road Reclamation 2006** – Change Order #1.
3. **Mannon Excavating & Paving/Road Reclamation 2006** – Payment #1.
4. **S. Brothers/Mill Road Section I** – Change Order #2.
5. **S. Brothers/Mill Road Section I** – Change Order #3.
6. **S. Brothers/Mill Road Section I** – Payment #3.
7. **Jacobs-BBL** - Partial Payment #14 for Three Bridges Pump Station project.
8. **Compass Construction, Inc./Bikeway & Pedestrian Walkway** – Change Order #3.
9. **Compass Construction, Inc./Bikeway & Pedestrian Walkway** – Payment #5.
10. **DalCortivo/Block 45, Lot 25.38** - release of driveway bond - \$600.
11. **Pupa/Block 53, Lot 7.06** - request for release of unused escrow funds.
12. **Tax Refunds** – resolution.

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

**WHEREAS**, the Tax Collector recommends the following 2006 tax refunds:

**CONSENT AGENDA – continued:**

<u>BLOCK/LOT</u>	<u>REASON</u>	<u>REFUND TO</u>	<u>AMOUNT</u>
63/15Q	Overbill	Schaefer, William & Christopher	\$ 13.40
64/20	Tax Exempt	County of Hunterdon	\$ 49.73
98/8	Tax Exempt	County of Hunterdon	\$ 854.17
70/20Q	Overbill	Shah, Tushar & Debra	\$ 25.75
66/23.05	Overbill	Purdon, James & Coleen	\$ 53.23
70/38.02Q	Overbill	Ettere, Jonathan & Heather	\$ 202.46
74/26.01 Q	Overbill	Liesch, Robert & Lyn Trustees	\$ 239.26
83/1 Q	Overbill	Marciano, Barbara	\$ 39.53

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

13. **Payment of the Bills.**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND APPROPRIATION	001	\$ 490,064.56
SEWER APPROPRIATION	002	\$ 99,808.84
TRUST APPROPRIATION	003	\$ 30,034.33
CAPITAL APPROPRIATIONS	004	\$ 45,353.94
MISC. REFUND, COUNTY TAX, LIENS	005	\$ 24,672.99
PAYROLL DEDUCTIONS	006	\$ 21,915,123.58
REGIONAL AND LOCAL SCHOOL TAX	007	\$ 5,315,102.59
DUE TO STATE OF NEW JERSEY	009	\$ 250.00
<b>TOTAL OF ALL FUNDS:</b>		<b>\$ 27,920,410.83</b>

14. **Municipal Court & Violations Bureau Report** for September, 2006.

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

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

**CORRESPONDENCE/OTHER INFORMATION:**

- Letter dated October, 2006 from Alex DeCroce, Assembly Republican Leader, regarding **resolution urging bipartisan action by the State Legislature on Ethics Reform**, noted for information. No action taken.
- Letter dated October 16, 2006 from Hunterdon Central Regional High School regarding **placing an ad in their 50<sup>th</sup> Anniversary Souvenir Yearbook**.

A **MOTION** was made by Mrs. Allen to put a ¼ page black and white ad in the 50<sup>th</sup> Anniversary Souvenir Yearbook at a cost of \$150. 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

**CORRESPONDENCE/OTHER INFORMATION – continued:**

3. Memorandum dated October 10, 2006 from Sharon L. Brienza, Municipal Clerk, Twp. Branchburg, regarding *public hearing of Ordinance #2006-1053 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.
4. Letter dated October 12, 2006 from Richard W. Madden, Mayor, Twp. of Delaware, regarding *Farm Laborer Quarters*, noted for information. No action taken.
5. Notice dated October 23, 2006 from Dorothy L. Gooditis, Municipal Clerk, Twp. of Raritan, regarding *adoption of a Resolution opposing P.L. 2006 c. 44 which amended the New Jersey Sales & Use Tax to extend the base of the sales tax to include new services in addition to a 1% increase*, noted for information. No action taken.
6. Resolution from the Township of Tewksbury *supporting Public Question #2 which would reallocate a surplus of existing, already environmentally-dedicated funds from the New Jersey Corporate Business Tax revenue to improving state parks, forests, wildlife management areas and local urban and rural parks*, noted for information. No action taken.
7. Notice from John R. Dusinberre, Esq., regarding *hearing before the Tewksbury Twp Planning Board - Toll Brothers Crossroads at Oldwick, Block 45, Lots 42 & 43*, noted for information. No action taken.
8. Letter dated October 11, 2006 from David C. Krueger, President, Environmental Technology, Inc. regarding *Application for Letter of Interpretation - Presence/Absence – Winfield Management Corp., Block 8, Lot 3*, noted for information. No action taken.

**PUBLIC HEARINGS:**

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

**Ordinance #41-2006**

Clerk read by Title

***BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,740,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,653,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF***

**Ordinance #41-2006**

Mayor Shamey said this is a bond ordinance providing for various capital improvements in the Township. It includes various road improvements, acquisition of equipment for the Department of Public Works, museum renovations to the Stickney Guest House and a new voice mail system for the Municipal Building.

Mr. Gatti said that the Township has been doing this for the last several years whereby we have been keeping up with equipment replacement for the DPW and regularly designating roads in the Township for paving.

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.

**Ordinance #41-2006 – continued:**

Ms. Ingelore Krug referred to the Committee's action earlier in the meeting when she hired a company to auction off equipment. Then, this ordinance provides for the acquisition of new equipment.

Mayor Shamey said the equipment that is auctioned has become more expensive to maintain than to buy a new piece of equipment.

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

Clerk read by Title:

***BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,740,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,653,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF***

**Ordinance #41-2006**

A **MOTION** was made by Mr. Gatti 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 #42-2006**

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

***AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN ROADWAYS WITHIN THE RESIDENTIAL DEVELOPMENT KNOWN AS WILMARK AT READINGTON PHASE III (AKA STANTON PLACE) IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM WILMARK BUILDING CONTRACTORS, INC.***

**Ordinance #42-2006**

Mayor Shamey said this ordinance provides for the acceptance of the following roadways: Indian Purchase, Cornerstone Lane, Creek Road, Pierce Farm Road.

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. 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 TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN ROADWAYS WITHIN THE RESIDENTIAL DEVELOPMENT KNOWN AS WILMARK AT READINGTON PHASE III (AKA STANTON PLACE) IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM WILMARK BUILDING CONTRACTORS, INC.***

**Ordinance #42-2006**

**Ordinance #42-2006 – 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

**Lamington Hospitality, LLC.** – Liquor License Transfer.

George Dilts, Esq. appeared before the Committee. Mr. Dilts said he represents Lamington Hospitality. This liquor license formerly belonged to Anthony’s Restaurant on Route 22 East. The property is in both Readington and Bedminster. They were negotiating with Bedminster with regard to an interlocal agreement

A **MOTION** was made by Mrs. Allen to deny the Liquor License Transfer Application for Lamington Hospitality, 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

**OLD BUSINESS:**

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

Mayor Shamey gave an update on the status of this matter.

On November 3<sup>rd</sup> Judge Yolanda \_\_\_\_\_ of the Superior Court heard oral arguments from counsel for the Township of Readington and counsel for Solberg Aviation and well as counsel for Kevin Devine and the Taxpayers Alliance of Readington.

The argument that was heard was in connection with the motion filed on behalf of Solberg Aviation to stay the eminent domain proceeding pending a final resolution of the Township’s authority to condemn the property as set forth in the ordinance and complaint.

Also seeking to set a case management conference and pretrial discovery and to vacate and set aside the courts order of September 26<sup>th</sup>. Additionally the court heard arguments from the attorney for Kevin J. Devine and the Taxpayers Alliance of Readington to intervene in the eminent domain proceeding. The court indicated that a ruling would be issued by 4:00 p.m. on November 14<sup>th</sup>.

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

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON  
 RESOLUTION  
 R-2006-136**

**WHEREAS**, Wilmark Building Contractors, Inc. did on September 11, 2006 file a written request with the Clerk of the Township of Readington for a reduction in Letter of Credit #04-06 in the amount of \$364,089.60 and Check #9781 in the amount of \$40,454.50 for work completed on Block 21.12, Lot 46; and

**WHEREAS**, the Township Engineer has confirmed that a certain amount of work has been done by Wilmark Building Contractors, Inc. 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 Letter of Credit #04-06 and Check #9781, as indicated in his letter of October 24, 2006, based upon the Municipal Land Use Law requirement:

DEVELOPMENT	BOND OR CHECK	ORIGINAL BONDED AMOUNT @ 120%	RECOMMENDED REDUCTION FOR WORK COMPLETED	REMAINING PERFORMANCE GUARANTEE @ 120% VALUE
Wilmark Building Contractors, Inc. Block 21.12, Lot 47	Peapack-Gladstone Bank LOC #04-06	\$364,089.60	\$254,862.72	\$109,226.88
	Check #9781	\$40,454.50	\$28,318.08	\$12,136.32

**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 Letter of Credit #04-06 and Check #9781, 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 Mrs. Muir Gatti and on Roll Call vote the following was recorded:

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

3. **HCM Family Life Center** – request for permission to connect to the PSE&G line located on the opposite side of Old York Road.

Attorney Dragan said she did not see did not find any case law that would allow the denial of the excavation of the road based on an unwritten policy. The Township’s current street opening ordinance does not contain any specific criteria to accept or deny applications.

Attorney Dragan said the ordinance does state that the applicant must post a performance guarantee and put the roadway back into its existing condition. The Committee could amend the ordinance, for the future, to provide a moratorium on the opening of roads. The State uses a five (5) year moratorium. The ordinance could also be amended to state that property owners will be notified prior to construction on their road that they would need to hook-up to any utilities prior to the road construction.

**A MOTION** was made by Mr. Auriemma to authorize the DPW to issue a street opening permit and require the submission of Performance Guarantees and/or Maintenance Bonds for the maximum dollar amount and duration permitted per Township ordinance. 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

**NEW BUSINESS:**

1. **Hunterdon County Open Space Trust Fund FY 2005** – allocations under the Municipal Grant Program.

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON  
RESOLUTION  
R-2006-137**

**WHEREAS**, the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan established a Municipal Grants Program to provide Open Space Trust Funds for their acquisition of lands for recreation, conservation and general open space purposes, farmland preservation, preparation of plan elements of a municipal Master Plan and/or restoration of county-owned historic facilities; and

**WHEREAS**, the Township Committee of the Township of Readington desires to bank and reserve its 2006 Allocation of Municipal Grant Funds in the amount of \$146,273.82 for a project to be identified by the Township through the required application process.

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

1. Vita Mekovetz, Administrator/Municipal Clerk, is authorized to:
  - (a) make an application to the County of Hunterdon for Open Space Trust Funds for a project that will be identified by the Township Committee; and
  - (b) provide additional application information and furnish such documents as may be required for the Municipal Grants Program, and
  - (c) act as the principal contact person and correspondent of the above-named municipality.
2. 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 by Mrs. Allen to adopt this Resolution, seconded by Mrs. Muir Gatti and on Roll Call vote the following was recorded:

Mrs. Allen	-	Aye
Mr. Auriemma	-	Aye

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

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON  
RESOLUTION  
R-2006-138**

**WHEREAS**, the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan established a Municipal Grants Program to provide Open Space Trust Funds for their acquisition of lands for recreation, conservation and general open space purposes, farmland preservation, preparation of plan elements of a municipal Master Plan and/or restoration of county-owned historic facilities; and

**WHEREAS**, the Township Committee of the Township of Readington desires to obtain Open Space Trust Funds in the amount of \$146,273.82 to fund the following project: Block 75, Lots 15.01 & 16.02 (Lipka).

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

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, and (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 will 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. The 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 by Mrs. Allen to adopt this Resolution, seconded by Mrs. Muir 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

2. **Whitehouse Methodist Church** – request for waiver of escrow fees.

Mayor Shamey said that the Committee approved the waiver of subdivision application fees for this project at their May 1, 2006 meeting. This is an additional request for the waiver of escrow fees.

Attorney Dragan said this involves the Township-owned property that was going to be sold to Whitehouse Methodist Church. Their variance expired and they have to go through the application process again.

Mrs. Allen suggested that the Church be advised that this application move forward as a capital improvement project. All agreed.

3. ***Fallone/Block 36, Lot 2*** – request for release of Maintenance Bond.

A ***MOTION*** was made by Mrs. Muir to approve the release of the Maintenance Bond for Fallone/Block 36, Lot 2, 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

4. ***Mannon Excavating & Paving/Road Reclamation 2006*** – Change Order #1.

This item was addressed under the Consent Agenda.

5. ***Mannon Excavating & Paving/Road Reclamation 2006*** – Payment #1.

This item was addressed under the Consent Agenda.

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

This item was addressed under the Consent Agenda.

7. ***S. Brothers/Mill Road Section I*** – Change Order #3.

This item was addressed under the Consent Agenda.

8. ***S. Brothers/Mill Road Section I*** – Payment #3.

This item was addressed under the Consent Agenda.

9. ***Jacobs-BBL*** - Partial Payment #14 for Three Bridges Pump Station project.

This item was addressed under the Consent Agenda.

10. ***Compass Construction, Inc./Bikeway & Pedestrian Walkway*** – Change Order #3.

This item was addressed under the Consent Agenda.

11. ***Compass Construction, Inc./Bikeway & Pedestrian Walkway*** – Payment #5.

This item was addressed under the Consent Agenda.

12. ***DalCortivo/Block 45, Lot 25.38*** - release of driveway bond - \$600.

This item was addressed under the Consent Agenda.

13. ***Pupa/Block 53, Lot 7.06*** - request for release of unused escrow funds.

This item was addressed under the Consent Agenda.

***ADMINISTRATOR'S REPORT:***

Written report submitted.

Administrator Mekovetz said she received a letter today from Hunterdon County Planning Board regarding the Route 202 Corridor Assessment & Multi-Modal Mobility Plan requesting that the Committee send a letter of support for the NJTPA FF08-FY09 Technical Studies Program Grant Application.

A **MOTION** was made by Mrs. Allen to send a letter to the Hunterdon County Planning Board stating that the Committee supports the County's submission of a proposal for the NJTPA FF08-FY09 Technical Studies Program Grant Application for the Route 202 Corridor Assessment & Multi-Modal Mobility Plan and that Readington would be willing to participate in this study if this grant is funded. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

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

**ATTORNEY'S REPORT:**

Written report submitted.

Attorney Dragan said she is working on finishing the closing for the Hannah property. This involved doing an inspection of the property to assure that the survey hasn't changed. Mrs. Allen did this inspection, however the Committee needs to adopt a resolution stating that Mrs. Allen is authorized to sign the survey affidavit on behalf of the Committee.

**TOWNSHIP OF READINGTON  
RESOLUTION  
R-2006-139**

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

1. Julia C. Allen is a member of the Readington Township Committee and serves as its Liaison for Farmland/Open Space Preservation and Land Projects. In her capacity as the aforementioned liaison, she is familiar with the various properties the Township has purchased agricultural development rights easements on. She has inspected the premises known as Block 65, Lot 23 in the Township, in conjunction with the Assignment of the Agricultural Development Rights Easement to the County of Hunterdon, and is hereby authorized on behalf of the Township Committee to execute a Survey Affidavit in conjunction with the closing of the agricultural development rights easement to the County.
2. This Resolution shall take effect immediately.

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

**ENGINEER'S REPORT:**

Written report submitted.

Engineer McEldowney said the roadway reclamation project is on-going.

Engineer McEldowney said work continues on the bikeway/walkway project.

Mayor Shamey asked if the final grading and seeding has been done on the project.

Engineer McEldowney said it should be done within the next two (2) weeks.

**COMMITTEE REPORTS:**

**1. Gerard Shamey:**

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

**2. Julia Allen:**

Mrs. Allen said the October 23<sup>rd</sup> Planning Board meeting has been canceled because there was nothing on the agenda.

Mrs. Allen said there is a small cinder block structure next to the Lake Cushetunk Woods walkway. She suggested that the Township obtain estimates for the demolition and removal of this building.

A **MOTION** was made by Mrs. Allen to obtain quotes for the demolition and removal of the small cinder block structure next to the Lake Cushetunk Woods walkway. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

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

**3. Thomas Auriemma:**

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

**4. Frank Gatti:**

**a. Finance Department**

1. **Monthly Collection Report** for September, 2006.

This item was addressed under the Consent Agenda.

2. **Monthly Collection Report for Sewers** for September, 2006.

This item was addressed under the Consent Agenda.

3. **Tax Refunds** – resolution.

This item was addressed under the Consent Agenda.

4. **Payment of the Bills.**

This item was addressed under the Consent Agenda.

**b. Historic Preservation/Museums**

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

**5. Beatrice Muir:**

**a. Board of Health**

Mrs. Muir said the Vice Chair and other members of the Board of Health are continuing their outreach to community faith-based groups in regard to emergency planning.

**b. Public Assistance**

Mrs. Muir said that food donations for Thanksgiving baskets can be dropped off at local churches.

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

**COMMENTS FROM THE PUBLIC:**

Mayor Shamey asked for comments from the public.

**COMMENTS FROM THE GOVERNING BODY:**

Mayor Shamey asked for comments from the Governing Body.

Ms. Ingelore Krug said she is in favor of the Township having a bomb-sniffing dog.

Ms. Karen Jenkin

***ADJOURNMENT***

As there was no further business, a motion was made by Mrs. Muir at 9:45 p.m., seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC  
Administrator\Municipal Clerk