

**READINGTON TOWNSHIP COMMITTEE
MEETING – NOVEMBER 19, 2007**

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

PRESENT: Mayor G. Shamey, Deputy Mayor T. Auriemma, Mrs. J. Allen, Mr. F. Gatti and Mrs. B. Muir

ALSO PRESENT: Administrator Mekovetz and Attorney Dragan

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> | <i>Date Anticipated When Discussion Will Be Disclosed to Public</i> |
|---|---|---|
| Personnel Matters..... | Personnel..... | Certain information at the discretion of the Township Committee tonight... other information will remain confidential |
| ECHO Housing..... | Contract Negotiations..... | " " " |
| Block 36, Lots 9 & 27 (Cook)..... | Contract Negotiations..... | " " " |
| Block 44, Lots 18, 50 & 54 (Herr)..... | Contract Negotiations..... | " " " |
| Block 55, Lots 7.04–7.09 (Rolling Meadows)... | 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)..... | Litigation..... | " " " |
| Liberty Hill Realty & Renay Salamon v. Twp. of Readington..... | Litigation..... | " " " |
| Combes Landfill..... | Litigation..... | " " " |

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

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

The meeting reconvened at 8:05 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 - Personnel Matters

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

Contract Negotiations - ECHO Housing

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

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

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

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

A **MOTION** was made by Mrs. Allen to authorize Attorney Dragan to draft a contract for Block 44, Lots 18, 50 & 54 (Herr). 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 |

Contract Negotiations - Block 55, Lots 7.04 – 7.09 (Rolling Meadows)

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

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

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

Litigation - Liberty Hill Realty & Renay Salamon v. Twp. of Readington

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

Litigation - Combes Landfill

Mayor Shamey said this matter was not discussed.

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

Contract Negotiations – Block 75, Lot 33 (Hanna Saqa)

A **MOTION** was made by Mrs. Allen to authorize Administrator Mekovetz to obtain quotes for an appraisal on Block 75, Lot 33 (Hanna Saqa). This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

CONSENT AGENDA:

1. **Resolution awarding the contract for the purchase of rock salt for the 2007/2008 season to Atlantic Salt, Inc. at a price of \$53.79 per ton.**

**TOWNSHIP OF READINGTON
 RESOLUTION
 R-2007-120**

WHEREAS, pursuant to N.J.S.A. 40A:11-10 *et seq.*, Readington Township authorized a joint agreement with the County of Hunterdon at the September 17, 2007 Township Committee meeting; and

WHEREAS, the Hunterdon County Board of Chosen Freeholders, in accordance with this agreement, has awarded the bid for rock salt to Atlantic Salt, Inc. at a price of \$53.79 per ton; and

WHEREAS, pursuant to N.J.S.A. 5:34-5 the Governing Body is required to award this contract.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington does hereby award the contract for the purchase of rock salt for the 2007/2008 season (November 14, 2007 to November 13, 2008) to Atlantic Salt, Inc. at a price of \$53.79 per ton.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the County of Hunterdon Purchasing Department.

2. **Hunterdon County YMCA/Block 72, Lot 31.03** - request for release of unused escrow funds (\$3,695.80).
3. **Tax Refund** – resolution.

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

WHEREAS, the Tax Collector has recommended the following refund:

| <u>BLOCK/LOT</u> | <u>REFUND TO</u> | <u>REASON</u> | <u>AMOUNT</u> |
|------------------|-------------------------------------|-------------------|---------------|
| 2007 | | | |
| 43/8.01 | Malko, Russell & Karen | duplicate payment | \$ 3,879.68 |
| 45/27.15 | Cheung, Elizabeth Mabrey, Dennis | duplicate payment | \$ 3,283.80 |
| 72/18.01 | Jud, James & Magill, Sean | duplicate payment | \$ 829.35 |

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

4. **Payment of the Bills.**

| <u>Fund Description</u> | <u>Fund No.</u> | <u>Received Total</u> |
|--------------------------------|-----------------|-----------------------|
| CURRENT FUND APPROPRIATION | 001 | \$ 999,824.36 |
| SEWER APPROPRIATION | 002 | \$ 103,577.03 |
| TRUST APPROPRIATION | 003 | \$ 67,216.62 |
| CAPITAL APPROPRIATIONS | 004 | \$ 9,273.37 |
| MISC REFUND, COUNTY TAX, LIENS | 005 | \$ 3,408,299.66 |
| PAYROLL DEDUCTIONS | 006 | \$ 280,852.03 |
| TOTAL OF ALL FUNDS: | | \$ 4,869,043.07 |

5. **Municipal Court & Violations Bureau Report** for October, 2007.

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

CONSENT AGENDA – continued:

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

CORRESPONDENCE/OTHER INFORMATION:

1. Letter dated November 9, 2007 from Donna J. Burham, Municipal Clerk, Twp. of Clinton, regarding *public hearing of Ordinance #946-07 Supplementing & Amending Chapter 165 entitled “Land Use Regulations” (Amending Standards & the Schedule of Zoning Requirements)*, noted for information. No action taken.
2. Notice from Public Service Electric & Gas regarding *motion for approval of changes in its Electric & Gas Societal Benefit Charge Rates*, noted for information. No action taken.

OLD BUSINESS:

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

Mayor Shamey said this matter remains in litigation. Motions for Summary Judgement have been filed by the Township as well as by Solberg Aviation/Hromoho. Each side has submitted briefs and the Judge will hear oral arguments on December 14th at the Somerset County Courthouse.

2. *Wal-Mart Stores, Inc.* – request for release of Maintenance Bond.

Mayor Shamey said a letter was received from Engineer McEldowney stating that he has no objection to the release of this bond contingent upon payment of any outstanding escrow amounts. All other outstanding items have been addressed.

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
 RESOLUTION
 R-2007-121**

WHEREAS, the Wal-Mart Realty Co. did on April 23, 2007 file a written request with the Clerk of the Township of Readington for the release of Maintenance Bond #104472719 for work completed on Block 14, Lot 49; and

WHEREAS, the Township Engineer has reviewed this request, conducted a final inspection of bonded items, and has no objection to the release of this bond, contingent upon payment of any outstanding escrow amounts, as indicated in his letter of November 19, 2007.

| DEVELOPMENT | BOND OR CHECK | ORIGINAL BONDED AMOUNT | CURRENT REMAINING MAINTENANCE GUARANTEE | RECOMMENDED REDUCTION BY (%) FOR WORK COMPLETED | REMAINING MAINTENANCE GUARANTEE |
|---------------------------------------|--|------------------------|---|---|---------------------------------|
| Wal-Mart Store #5069 Block 14, Lot 49 | Travelers Casualty & Surety Company of America Maintenance Bond #104472719 | \$179,337.00 | \$179,337.00 | 100% | \$0.00 |

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 release Maintenance Bond #104472719, as recommended by the Township Engineer, contingent upon payment of any outstanding escrow amounts; and

Wal-Mart Stores, Inc. release of Maintenance Bond – continued:

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

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

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

Mayor Shamey asked that Engineer McEldowney provide the Committee with updates at the next meeting regarding the median on Route 22 at the WalMart entrance, as well as the status of the work to correct the flooding on Route 22 at the Merck entrance.

NEW BUSINESS:

1. ***Readington Trail Association*** – request for approval/support of application for Cole Road Trailhead Access Grant.

A ***MOTION*** was made by Mr. Gatti to draft a letter expressing the Committee’s support of the Readington Trail Association and their application for a Land Grant to provide trailhead access to an existing parking area, and verifying that the trailhead access is on Green Acres property. This motion was seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

2. ***Block 96, Lot 18/Auction*** – resolution regarding closing on property.

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2007-122***

WHEREAS, the Township of Readington (“Township”), pursuant to *N.J.S.A. 40A:12-13, et seq.* held an auction on September 20, 2007 to sell the property it owns known as Block 96, Lot 18 in the Township of Readington, County of Hunterdon and State of New Jersey, consisting of approximately 78.5 \surd acres, subject to an agricultural development rights easement and a restrictive covenant held by the County of Hunterdon in accordance with the farmland and open space preservation goals of the Township and the County and State Farmland Preservation Program; and

WHEREAS, as a result of the auction, the highest bid received to purchase the property was offered by Antonio Pimenta (hereinafter “Pimenta”), in the amount of \$860,000; this bid was accepted and approved by the Readington Township Committee at the meeting held on October 1, 2007; and

WHEREAS, the Township thereafter entered into a contract with Pimenta in accordance with the offer made, and further, subject to easements set forth in the specifications required by the Township; and

WHEREAS, the parties are now ready to close the transaction; and

WHEREAS, the making of this resolution is authorized by *N.J.S.A. 40A:12-13.1, et seq.*

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

Block 96, Lot 18/Auction – resolution regarding closing on property – continued:

1. On behalf of the Township Committee, the Mayor, Deputy Mayor, Township Administrator/ Clerk and Township Attorney, as the case may be, are authorized to prepare and sign any necessary closing documentation, including the deed, affidavit of title, closing statements, and any other documentation needed to effectuate the sale of Block 96, Lot 18 to Pimenta, in accordance with the bid specifications, contract and this resolution.
2. In addition, as part of this Resolution, the Township assigns to Pimenta, its rights in the existing hunting agreement with Pines Rod & Gun Club, for the fall/winter 2007-2008 hunting season, as it pertains to the 78.5 ∇ acres comprising Block 96, Lot 18, including the proportionate right to payment for 78.5 acres, to be adjusted as of the date of closing. The Township shall retain its rights to the agreement as it pertains to the remaining acreage on adjacent Block 96, Lot 18.03 (approximately 31 acres), also owned by the Township, which Block and Lot were inadvertently left out of the agreement, which in fact covers 113 acres. The hunting club shall be notified of the change in ownership.
3. This Resolution shall take effect immediately.

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

3. ***Block 4, Lot 57/Mountain Woods*** – recommendation from Street Naming Committee.

Mayor Shamey said this is for a new road in a small subdivision off of Far Knoll Lane. The recommendation from the Street Naming Committee and the Township's 911 Coordinator is "Far Knoll West."

A ***MOTION*** was made by Mr. Gatti to approve the name "Far Knoll West" for the new road in the Block 4, Lot 57 (Mountain Woods) subdivision. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

4. ***Wilmark Country Woods Lake Drive/Block 21.12, Lots 46 & 46.03*** – request for release of Performance Bond.

Action on this matter was deferred until the next meeting.

5. ***Resolution awarding the contract for the purchase of rock salt for the 2007/2008 season to Atlantic Salt, Inc. at a price of \$53.79 per ton.***

This item was addressed under the Consent Agenda.

6. ***Hunterdon County YMCA/Block 72, Lot 31.03*** - request for release of unused escrow funds (\$3,695.80).

This item was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT:

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

ATTORNEY'S REPORT:

Written report submitted.

Attorney Dragan said she attended a seminar regarding billboards and signs at the League of Municipalities Conference. She said that large billboard companies have gone throughout the

Country trying to establish billboards and are now making Constitutional arguments. She said she will review the Township's sign ordinance in light of this new information.

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

ENGINEER'S REPORT:

Written report submitted.

As Engineer McEldowney was not in attendance no additional report was given

COMMITTEE REPORTS:

1. Gerard Shamey:

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

2. Julia Allen:

a. Farmland\Open Space Preservation\Land Projects Liaison

Mrs. Allen said the open space walk that was to be held yesterday has been rescheduled for Sunday, November 25th. Anyone who is interested should meet at the Municipal Building at 1:00 p.m.

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. 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. Historic Preservation/Museums

Mr. Gatti said he met with members of the Historic Preservation Commission that are working on the historic book about Readington Township. Twelve photos have been sent to the publisher, who will choose one for the book's cover.

Mr. Gatti said he would like to congratulate the Hunterdon Central varsity girls' basketball team on their second place finish in the Group IV Championship.

Mr. Gatti referred to correspondence from Zoning Officer John Barczyk to the Board of Adjustment regarding the Pickell Park beautification project. He asked for more details about the project.

Administrator Mekovetz said there was a presentation given at previous Committee meeting that Mr. Gatti did not attend. She said she has information that he can review.

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

Mayor Shamey said that the Hunterdon Central football team will be playing in a championship game against Piscataway.

Mr. Gatti said the game will be played at either Rutgers Stadium or Giant's Stadium.

COMMITTEE REPORTS – continued:

5. Beatrice Muir:

a. Board of Health

Mrs. Muir said a regular Board of Health meeting is scheduled for this Wednesday.

b. Public Assistance

Mrs. Muir said the Social Services office is working to prepare the Thanksgiving food baskets. They will be distributed tomorrow evening from Our Lady of Lourdes Church.

c. Municipal Court

1. *Municipal Court & Violations Bureau Report* for October, 2007.

This item was addressed under the Consent Agenda.

d. Animal Control

Mrs. Muir said that dog licenses need to be renewed as of January 2008.

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

Holiday Tree Lighting Ceremony

Mayor Shamey said there will be a holiday tree lighting ceremony in front of the Municipal Building on December 14th at 7:00 p.m. There will be musical entertainment by the Hunterdon Harmonizers, and the newly formed Readington Community Theater will put on a short skit.

Mrs. Allen said they will need three (3) tables, a sound system and lights for the tree.

Mr. Gatti suggested that the school be contacted regarding the sound system.

COMMENTS FROM THE PUBLIC:

Mayor Shamey asked for comments from the public.

Mike Wernicki, Three Bridges Volunteer Fire Company, referred to the property that the Township recently sold at auction. He said there is a lane that goes back to the property with a large tree across it. He said he is concerned that the Fire Company would not have access to the structure if necessary.

Mrs. Allen said the contract for the purchase of the property states that the Route 202 access would only be used for emergency access.

Mrs. Muir said the property can be accessed from Old York Road.

Attorney Dragan said the deed states that there is no vehicular access from Route 202 except for emergency vehicles. She will ask the new property owner at the closing if they will be moving the tree.

COMMENTS FROM THE GOVERNING BODY:

Mayor Shamey asked for comments from the Governing Body.

Mayor Shamey thanked the Three Bridges Fire Company for their hospitality in hosting this year's Volunteer's Dinner.

ADJOURNMENT

As there was no further business, a motion was made by Mr. Auriemma at 8:40 p.m., seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Respectfully Submitted:

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