

**READINGTON TOWNSHIP COMMITTEE
MEETING – NOVEMBER 20, 2006**

Mayor Shamey *called the meeting to order at 5:30 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: Attorney Dragan and Administrator Mekovetz

EXECUTIVE SESSION:

Clerk read the following Resolution:

**RESOLUTION
EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:4-6 *et seq.*, the Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee is of the opinion that such circumstances presently exist and desires to authorize the exclusion of the public from the portion of the meeting in accordance with the act;

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

1. The public shall be excluded from discussion of and action upon the specified subject matter as set forth in the following Exhibit "A":

EXHIBIT A

<u>Subject Matter</u>	<u>Basis of Public Exclusion</u>	<u>Date Anticipated When Discussion Will Be Disclosed to Public</u>
St. Hubert's Giralda.....	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
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.....	" " "

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 5:30 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 7:55 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:

St. Hubert's Giralda – Contract Negotiations

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
ANIMAL CONTROL SERVICES
#R-2006-140**

St. Hubert's Giralda – continued:

WHEREAS, the Township of Readington has a need to acquire Animal Control 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, St. Hubert's Giralda has submitted a proposal indicating they will provide Animal Control Services at an annual rate of \$19,644, and a service charge of \$100.00 for each call-out between the hours of 8:00 p.m. and 8:00 a.m.; and

WHEREAS, St. Hubert's Giralda has completed and submitted a Business Entity Disclosure Certification which certifies that St. Hubert's Giralda 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 St. Hubert's Giralda 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 St. Hubert's Giralda 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, 2007; 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. Muir 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

Attorney-Client Privilege - Executive Session Minutes

A MOTION was made by Mr. Auriemma to approve the Executive Session Minutes from the meetings of October 16, 2006 and November 6, 2006 for content. 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

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

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

Mayor Shamey said the following items were added to the Executive Session Agenda:

Contract Negotiations – PBA/Lieutenant’s Contract

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

Contract Negotiations – Professional Services – Gebhardt & Kiefer

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

Contract Negotiations – Block 69, Lot 12 (American Classics)

A ***MOTION*** was made by Mrs. Muir to approve the Developer’s Agreement for Block 69, Lot 12 (American Classics) contingent on finalizing changes with Attorney Dragan and Engineer McEldowney. 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

CONSENT AGENDA:

1. ***Jacobs-BBL*** - Partial Payment #15 for Three Bridges Pump Station project.
2. ***DeMaio Electric*** - Payment #2 for Three Bridges Pump Station project.
3. ***Circelli Construction, Inc.*** - renovations to Eversole Hall House/payment #2.
4. ***Fleet Bank #98313 vs. Readington Twp.***- Stipulation of Settlement.

RESOLUTION AUTHORIZING THE SPECIAL TAX COUNSEL FOR THE TOWNSHIP OF READINGTON TO ENTER INTO A STIPULATION OF SETTLEMENT RELATIVE TO THE TAX APPEAL CAPTIONED FLEET BANK #98313 VS. READINGTON TOWNSHIP, TAX COURT OF NEW JERSEY, DOCKET NO. 003462-06 R-2006-141

WHEREAS, Fleet Bank #98313, the owner of Block 17, Lot 4 on the Township of Readington’s Tax Assessment Maps, commonly known as 396 Route 22, Readington Township, filed an appeal of their 2006 tax assessment in the Tax Court of New Jersey, Docket No. 003462-06; and

WHEREAS, the Township Committee of the Township of Readington met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor and Special Tax Counsel; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated which results in the withdrawal of the 2006 tax appeal pending in the Tax Court, and a reduction in the 2007 total tax assessment levied upon Fleet Bank #98313’s property located at Block 17, Lot 4; and

WHEREAS, the 2006 total tax assessment of \$1,150,000 will be affirmed by reason of the withdrawal of the 2006 tax appeal, and the 2007 total tax assessment, based upon said settlement will be set at \$1,000,000 for Block 17, Lot 4; and

CONSENT AGENDA – continued:

Other Expenses:	Recreation
Construction Official	Library
Revision of Tax Map	Utilities - Fuel Oil
Elections	Environmental Commission
Tax Assessor	Workers Compensation Insurance
Buildings and Grounds	Surety Bond Premiums

NOW THEREFORE BE IT RESOLVED, that in accordance with the provision of NJS 40A:4-58 part of the surplus in the accounts heretofore mentioned be and same hereby transferred to the accounts mentioned as being insufficient, to meet the current demands; and,

BE IT RESOLVED, that the Chief Financial Officer is hereby authorized and directed to make the following 2006 appropriation transfers:

<u>NO.</u>	<u>CURRENT FUND:</u>	<u>FROM</u>	<u>TO</u>
	Inside Caps:		
	Salaries and Wages:		
6-01-601-100	Recreation	\$ 30,000.00	
6-01-301-100	Roads	74,000.00	
	Other Expenses:		
6-01-023-200	Construction Official	30,000.00	
6-01-041-200	Revision of Tax Map	5,000.00	
6-01-102-200	Elections	29,000.00	
6-01-104-200	Tax Assessor	18,000.00	
6-01-110-200	Buildings and Grounds	30,000.00	
6-01-113-200	Environmental Commission	5,000.00	
6-01-501-200	Board of Health	19,000.00	
6-01-503-001	Aid to Charities	4,000.00	
6-01-601-200	Recreation	7,000.00	
6-01-604-200	Library	7,000.00	
6-01-702-003	Utilities - Fuel Oil	21,500.00	
6-01-108-200	Municipal Prosecutor		\$ 7,000.00
6-01-401-200	Waste Collection/Recycling		50,000.00
6-01-702-004	Utilities - Gasoline		60,000.00
6-01-106-200	Legal Services		10,000.00
	Outside Caps:		
6-01-117-700	Group Insurance		<u>152,500.00</u>
	Total	<u>\$279,500.00</u>	<u>\$ 279,500.00</u>
	Outside Caps:		
	Other Expenses:		
6-01-115-745	Workers Compensation	\$ 14,000.00	
6-01-116-001	Surety Bond Premiums	3,500.00	
6-01-117-700	Group Insurance		<u>\$ 17,500.00</u>
	Total	<u>\$ 17,500.00</u>	<u>\$ 17,500.00</u>

6. **Application for Membership in NJ Firemen's Association** – Jesse Reed.
7. **Podpora/Block 47, Lot 14** - request for release of unused escrow funds.
8. **Tax Cancellations** – resolution.

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

WHEREAS, certain 2006 taxes remain outstanding on the Township of Readington tax records which are assessed to Readington Township or unknown ownership; and

CONSENT AGENDA – continued:

WHEREAS, the total taxes amount to \$2,068.22 as analyzed:

<u>BLOCK/LOT</u>	<u>PROPERTY LOCATION</u>	<u>AMOUNT</u>
21.06/201.02	109 Dove Cote Court	\$ 1,854.02
61/4.01	Stanton Road (unknown)	\$ 214.20

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee that the Tax Collector is hereby authorized to cancel the amount of \$2,068.22 from the tax records.

9. **Tax Refunds** – resolution.

**TOWNSHIP OF READINGTON
 RESOLUTION**

WHEREAS, it has been determined that the property owner of Block 69, Lot 13.15 is a permanently disabled vet and therefore is tax exempt, date of determination November 23, 2004; and

WHEREAS, the property owner has resided in Readington Township since 1989.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee that the Collector of Taxes be authorized to refund 2006 taxes in the amount of \$9,867.38 and cancel same.

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

WHEREAS, the Tax Collector has recommended the following 2005 tax refund:

<u>BLOCK/LOT</u>	<u>REFUND TO</u>	<u>REASON</u>	<u>AMOUNT</u>
2003			
36/49	Fallone at Spring Meadow, LLC	State Court Judgement Rollback Taxes	\$76,592.84
2006			
21/19.09	Daviet, August	Senior Deduct	\$ 250.00
21.04/201.02	Newark Avenue Settlement	Duplicate Payment	\$ 1,890.82
34/36.009	Flanzbaum & Cohen, LLC	Duplicate Payment	\$ 1,405.05
46/15.01	Koteles, Robert	Senior Deductions	\$ 250.00
46.02/3	Ulm, Robert & Susan	Duplicate Payment	\$ 1,703.40
57/12.02	Tomajko, Debra	Duplicate Payment	\$ 1,692.55
66/19	Hudson City Savings	Duplicate Payment	\$ 9,756.65

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

10. **Payment of the Bills.**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND APPROPRIATION	001	\$ 552,842.69
SEWER APPROPRIATION	002	\$ 6,000.00
TRUST APPROPRIATION	003	\$ 9,736.34
CAPITAL APPROPRIATIONS	004	\$ 12,969.79
MISC. REFUND, COUNTY TAX, LIENS	005	\$ 352,233.58
PAYROLL DEDUCTIONS	006	\$ 156,101.72
REGIONAL AND LOCAL SCHOOL TAX	007	\$ 2,529,866.58
TOTAL OF ALL FUNDS:		\$ 3,619,750.70

CONSENT AGENDA – continued:

11. **Municipal Court & Violations Bureau Report** for October, 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:

1. **Notice to Public Service Electric & Gas customers** regarding proposed increase in rates, noted for information. No action taken.

OLD BUSINESS:

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

Mayor Shamey said the Township is now in the discovery process. Council for the Township is in the process of communicating with the Council for Solberg Aviation, as well as the two (2) court-appointed discovery masters.

2. **Patriot Media & Communications CNJ, Inc.** – scheduling of public hearing of application for municipal consent.

Mayor Shamey said that he and Mr. Gatti, along with Administrator Mekovetz, met with representatives from Patriot Media regarding this application. They discussed the scheduling of the public hearing for this application.

NEW BUSINESS:

1. **S. Brothers, Inc./Improvements to Mill Road Section I** - Acceptance of Maintenance Bond.

Action on this item was deferred.

2. **Jacobs-BBL** - Partial Payment #15 for Three Bridges Pump Station project.

This item was addressed under the Consent Agenda.

3. **DeMaio Electric** - Payment #2 for Three Bridges Pump Station project.

This item was addressed under the Consent Agenda.

4. **Circelli Construction, Inc.** - renovations to Eversole Hall House/payment #2.

This item was addressed under the Consent Agenda.

5. **Fleet Bank #98313 vs. Readington Twp.**- Stipulation of Settlement.

This item was addressed under the Consent Agenda.

6. **2006 Budget Appropriation Transfer** - resolution.

This item was addressed under the Consent Agenda.

7. **Application for Membership in NJ Firemen's Association** – Jesse Reed.

This item was addressed under the Consent Agenda.

NEW BUSINESS – continued:

8. **Podpora/Block 47, Lot 14** - request for release of unused escrow funds.

This item was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT:

Written report submitted.

Administrator Mekovetz the Committee needs to adopt a Resolution for the application to Hunterdon County Open Space Trust Fund for the Reno Barn project.

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2006-143**

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

WHEREAS, the Governing Body of Readington Township desires to obtain Open Space Trust Funds in the amount of \$125,000 to fund the following project(s):

Historic Preservation of Reno Barn

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

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

A MOTION was made 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	-	Nay
Mayor Shamey	-	Aye

ADMINISTRATOR'S REPORT – continued:

Administrator Mekovetz referred to the earlier discussion about scheduling the public hearing for the Patriot Media application.

Attorney Dragan said the publication of the public hearing must be at least forty-five (45) days prior to the hearing.

After a short discussion, the Public Hearing was scheduled for January 16, 2007.

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

ATTORNEY'S REPORT:

Written report submitted.

Attorney Dragan said that the closing on the Holman property is scheduled for Wednesday.

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 referred to the discussion at previous meetings regarding the request to connect to the gas line on Old York Road and the resulting disturbance to the road. He asked if the Committee discussed drafting an ordinance to deal with this type of situation in the future.

Mr. Gatti said that the Township should introduce such an ordinance. All agreed.

Mr. Gatti 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 Committee hosted a walk on Sunday afternoon on the Doboziński property. The next walk should be scheduled for sometime in January, weather permitting.

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 Cancellations – resolution

This item was addressed under the Consent Agenda.

Finance Department – continued:

2. ***Tax Refunds*** – resolution.

This item was addressed under the Consent Agenda.

3. ***Payment of the Bills.***

This item was addressed under the Consent Agenda.

Mr. Gatti referred to property on Route 22 near Lakeside Drive. All of the trees on the property have been cut down. He asked if the Township has a tree ordinance.

Mrs. Allen said there is approval on that property for a daycare center. There is a landscaping plan for the site.

Mrs. Muir said she would not be in favor of a tree ordinance. There are already ordinances in the Township that address this matter in regard to stream setbacks and FAR.

Mrs. Allen said the County has what they referred to as the *Tool Box Ordinances*, one of which was a tree protection ordinance. She suggested that the Environmental Commission be asked to review this ordinance, and to also find out what municipalities in Hunterdon County have tree protection ordinances.

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

5. Beatrice Muir:

a. Public Assistance

Mrs. Muir said that food donations for holiday baskets can be dropped off at local churches. There will also be a gift program that residents can contribute to.

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

COMMENTS FROM THE PUBLIC:

Mayor Shamey asked for comments from the public.

Ms. Kathy Balance of 42nd street, appeared before the Committee. She said the well on her property is contaminated. It was recommended that she drill a new well at a cost of \$10,000. She asked if the Township was considering putting public water in this area.

Mrs. Muir said the Board of Health office has information regarding contaminated wells within the Township. There are several groups of homes in that area with contaminated wells.

Mrs. Muir said there is some assistance available from the State for certain kinds of contamination. She also suggested that Ms. Contact the Hunterdon County Health Department regarding this issue.

Ms. Ingelore Krug said her new neighbors asked her to speak with Engineer McEldowney regarding a drainage issue. Someone from Mr. McEldowney's office spoke to one of her neighbors and recommended that one of their largest trees be cut down to provide diversion of the water. The neighbors do not want any trees to be cut down.

Mayor Shamey suggested that the property owners send a letter to Administrator Mekovetz (with a copy to Engineer McEldowney) regarding this matter.

COMMENTS FROM THE PUBLIC – continued:

Ms. Krug said the downspouts on the Eversole-Hall House need to be extended out from the house.

Mrs. Muir asked that this matter be brought to the attention of Buildings & Grounds.

COMMENTS FROM THE GOVERNING BODY:

Mayor Shamey asked for comments from the Governing Body.

ADJOURNMENT

As there was no further business, a motion was made by Mr. Auriemma at 8:35 p.m., seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC
Administrator\Municipal Clerk