

**READINGTON TOWNSHIP COMMITTEE
MEETING - JUNE 19, 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 G. Shamey, Mrs. J. Allen, Mr. F. Gatti and Mrs. B. Muir

ABSENT: Deputy Mayor Thomas Auriemma

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 AA@

EXHIBIT A

<u>Subject Matter</u>	<u>Basis of Public Exclusion</u>	<u>Date Anticipated When Discussion Will Be Disclosed to Public</u>
Building, Grounds & Parks.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Finance.....	Personnel.....	" " "
Personnel Matters.....	Personnel.....	" " "
Recreation.....	Personnel.....	" " "
PBA - Lieutenant=s Contract.....	Contract Negotiations.....	" "
		"
Block 39, Lots 49 & 14.04 and		
Block 40, Lot 2 (Peters).....	Contract Negotiations.....	" " "
Block 55, Lot 5.01 (Rolling Meadows).....	Contract Negotiations.....	" " "
Block 65, Lot 7 (Orlando).....	Contract Negotiations.....	" " "
Awarding of Maintenance & Repair Bids (Item #4 Core Stone).....	Contract Negotiations.....	" " "
Executive Session Minutes - May 15, 2006 & June 5, 2006.....	Attorney-Client Privilege.....	" " "
Combes Landfill.....	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)..... Contract Negotiations..... " " "

EXECUTIVE SESSION RESOLUTION - continued:

Mark Hartman & Wilmark
Building Contractors, Inc. v. Twp.
of Readington Lackland and
Lackland v. Twp. of Readington
Docket No. 02-2017 (SRC)..... Litigation..... " " "

Lackland and Lackland v.
Twp. of Readington
Docket No. 3:02-5597 (GEB)..... 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 AA.@
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 - Building, Grounds & Parks

A MOTION was made by Mrs. Allen to increase the salary of Benjamin Przewozny by \$1.68 per hour and the salary of Eric Santo by \$2.76 per hour. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Personnel - Finance

A MOTION was made by Mr. Gatti to approve Christine Gear=s request to take three (3) additional vacation days beyond the allowable two (2) consecutive weeks. This motion was seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Personnel - Personnel Matters

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION ADOPTING PERSONNEL POLICIES AND PROCEDURES
R-2006-80**

WHEREAS, it is the policy of the Township of Readington to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act), (the New Jersey Attorney General=s guidelines with respect to Police Department personnel matters), the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act;

and

Personnel Matters – continued:

WHEREAS, the Township Committee of the Township of Readington has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington that the Personnel Policies and Procedures Manual attached hereto is hereby adopted; and

BE IT FURTHER RESOLVED, that these personnel policies and procedures shall apply to all Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail; and

BE IT FURTHER RESOLVED, that this manual is intended to provide guidelines covering public service by Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee of the Township of Readington; and

BE IT FURTHER RESOLVED, that to the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as “employment at will”; and

BE IT FURTHER RESOLVED, that the firm of Fisher & Phillips is hereby appointed as Employment Attorney to advise the Township of Readington in personnel matters; and

BE IT FURTHER RESOLVED, that the Mayor and Township Committee and all managerial/supervisory personnel are responsible for these employment practices. The Township Administrator and the Attorney shall assist the Mayor and Township Committee in the implementation of the policies and procedures in this manual.

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

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

Personnel - Recreation

Mayor Shamey said that the first matter discussed will remain in Executive Session.

A MOTION was made by Mrs. Muir to hire the following as Summer Recreation Counselors:

Tony Armellino	\$ 8.00
Casey Bennett	\$ 9.75
Amanda Berstler	\$ 9.25
Lisa Clarke	\$ 9.00
Christain Dammel	\$ 8.25
Dina Dispenziere	\$ 9.00
Anton Djamoos	\$10.25
Melissa Dolgus	\$ 9.25
Donna Eckel	\$ 8.00
Amanda Eitzen	\$10.50
Gideon Esakoff	\$ 5.50
Jackie Fedyna	\$ 9.25
Peter Forenza	\$ 9.25

Jessica Goense \$ 9.00
Lisa Griguoli \$ 9.00

Personnel – Recreation – continued:

Stefanie Hamilton \$ 9.00
Annu Kayastha \$ 9.00
Ryan Keeley \$ 9.00
Emily Kurlansik \$ 9.25
Christopher Malta \$ 9.00
Dawn Marcine \$14.50
Vicki Marcine \$14.50
Nicky Marcucci \$ 8.25
Andrew Mason \$ 8.00
Jason Omilian \$ 9.00
Molly Pahuta \$ 9.00
Matthew Parolie \$ 9.50
Jamie Rod \$10.50
Douglas Reuter \$11.50
Dan Roxbury \$ 9.00
Julie Roxbury \$ 9.00
Victoria Schmidt \$ 9.00
Emma Schraeder \$ 5.50
Casey Sevell \$ 9.00
Lauren Shendock \$ 9.00
Jonathan Stone \$ 9.25
Victoria Stone \$ 8.25
Kelly Wagner \$ 9.25
Julie Weisman \$ 8.00
Matthew Wipperman \$ 8.25
Molly Yoskowitz \$ 8.00
Kaitlyn Zielinski \$ 8.00
Debbie Hill (Bus Driver) \$14.75
Ben Bretherick (Bus Driver) \$13.75
Patricia Marcine (Camp Director) salary

This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Contract Negotiations - PBA – Lieutenant’s Contract

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

Contract Negotiations - Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters)

A ***MOTION*** was made by Mrs. Muir to approve the contract, subject to proposed amendments, for Block 39, Lots 49 & 14.04 and Block 40, Lot 2 (Peters). This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Contract Negotiations - Block 55, Lot 5.01 (Rolling Meadows)

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

Contract Negotiations - Block 65, Lot 7 (Orlando)

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

Contract Negotiations - Awarding of Maintenance & Repair Bids (Item #4 Core Stone)

A ***MOTION*** was made by Mrs. Muir to award the contract for item #4 - Core Stone, to Trap Rock, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Attorney-Client Privilege - Executive Session Minutes (May 15, 2006 & June 5, 2006)

A ***MOTION*** was made by Mrs. Muir to approve the Executive Session Minutes from the meetings of May 15, 2006 and June 5, 2006 for content. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Litigation - Combes Landfill

Mayor Shamey said there was no action on this matter.

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.

Litigation - Mark Hartman & Wilmark Building Contractors, Inc. v. Twp. of Readington Lackland and Lackland v. Twp. of Readington - Docket No. 02-2017 (SRC)

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

Litigation - Lackland and Lackland, v. Township of Readington - Docket No. 3:02-5597 (GEB)

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

CONSENT AGENDA:

Administrator Mekovetz asked that #9 under New Business "Liquor License Renewals resolution" be removed from the consent agenda and considered in its normal sequence on the agenda.

1. ***APPROVAL OF THE MINUTES*** of meeting of June 5, 2006.
2. ***Resolution making application to the Local Finance Board for financing from the NJ Environmental Infrastructure Financing Program.***

***RESOLUTION OF TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e) AND N.J.S.A.58:11B-9
R-2006-82***

WHEREAS, the Township of Readington, in the County of Hunterdon, New Jersey (the "Township") desires to make application to the Local Finance Board pursuant to *N.J.S.A. 40A:2-26(e)* and *N.J.S.A. 58:11B-9* in connection with the financing of a land acquisition through the

2006 New Jersey Environmental Infrastructure Trust Financing Program; and

WHEREAS, the Township believes that:

- (a) it is in the public interest to accomplish such purpose;

CONSENT AGENDA – continued:

- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

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

SECTION 1. The application to the Local Finance Board is hereby approved, and the Township’s Bond Counsel and auditor, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

SECTION 2. The Clerk of the Township is hereby directed to prepare and file a copy of the bond ordinance with the Local Finance Board as part of such application.

SECTION 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

3. ***Resolution Declaring Official Intent to Reimburse Expenditures for Project Costs from the Proceeds of Debt Obligations in Connection with Participation in the 2006 NJ Environmental Infrastructure Trust Financing Program.***

***RESOLUTION OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM THE PROCEEDS OF DEBT OBLIGATIONS IN CONNECTION WITH ITS PARTICIPATION IN THE 2006 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM
R-2006-83***

WHEREAS, the Township of Readington, in the County of Hunterdon, New Jersey (the “Borrower”) intends to acquire, construct, renovate and/or install the environmental infrastructure project more fully described in Exhibit A attached hereto (the “Project”); and

WHEREAS, the Borrower intends to finance the Project with debt obligations of the Borrower (the “Project Debt Obligations”) but may pay for certain costs of the Project (the “Project Costs”) prior to the issuance of the Project Debt Obligations with funds of the Borrower that are not borrowed funds; and

WHEREAS, the Borrower reasonably anticipates that obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), will be issued by the New Jersey Environmental Infrastructure Trust (the “Issuer”) to finance the Project on a long-term basis by making a loan to the Borrower with the proceeds of the Issuer's obligations (the “Project Bonds”); and

WHEREAS, the Borrower desires to preserve its right to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Code.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the

Township of Readington, County of Hunterdon, State of New Jersey, as follows:

SECTION 1. The Borrower reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

CONSENT AGENDA – continued:

SECTION 2. This resolution is intended to be and hereby is a declaration of the Borrower's official intent to reimburse the expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with the proceeds of a borrowing to be incurred by the Borrower, in accordance with Treasury Regulations ' 150-2.

SECTION 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$11,000,000.

SECTION 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.

SECTION 5. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations ' 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Project Bonds used to reimburse the Borrower for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds," including "sinking funds," "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations ' 1.148-1), of the Project Debt Obligations or another issue of debt obligations of the Borrower, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations ' 1.148-1).

SECTION 6. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Project Debt Obligations is paid, or (ii) the date the Project is "placed in service" (within the meaning of Treasury Regulations ' 1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 7. This resolution shall take effect immediately.

4. ***Application for Domestic Violence Training Project Grant/\$6,730 - resolution.***

***TOWNSHIP OF READINGTON
RESOLUTION
SCHEDULE I
R-2006-84***

WHEREAS, the Township of Readington desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$6,730 to carry out a Domestic Violence Training project.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. that the Township Committee of the Township of Readington, County of Hunterdon State of New Jersey, does hereby authorize the application for such a grant; and,
2. recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Readington and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection

therewith:

_____	_____
(signature)	(signature)
_____	_____
(print name)	(print name)
_____	_____
(title)	(title)

CONSENT AGENDA – continued:

5. **Dedication By Rider** - resolution.

TOWNSHIP OF READINGTON

RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR PARKING OFFENSES ADJUDICATION ACT (POAA) PURSUANT TO PL 1989, c. 137 R-2006-86

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, PL 1989, c. 137 allows municipalities to receive amounts for costs incurred for Parking Offenses Adjudication Act (POAA), and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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

1. The Mayor and Township Committee hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Parking Offenses Adjudication Act (POAA) as per N.J.S.A. 40A:4-39.
 2. The Municipal Clerk of the Township of Readington is hereby directed to forward two (2) certified copies of this resolution to the Director of the Division of Local Government Services.
6. **2006 Cooperative Resurfacing & Surface Treatment Program** - resolution.

**TOWNSHIP OF READINGTON
RESOLUTION
R-2006-87**

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 June 19, 2006 Township Committee meeting; and

WHEREAS, the Hunterdon County Board of Chosen Freeholders, in accordance with this agreement, has awarded the bid for the Cooperative Resurfacing and Surface Treatment Program at a price of \$2.03 per gallon for Surface Treatment CRS-2M and \$52.00 per ton for Surface Treatment, Cover Material #8 - Clean Broken Stone, to Mannon Excavating and Paving Co., Inc.; 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 Cooperative Resurfacing and Surface Treatment Program for the period of May 23, 2006 through December 31, 2006 to Mannon Excavating and Paving Co., Inc., at a price of \$2.03 per gallon for Surface Treatment

CRS-2M and \$52.00 per ton for Surface Treatment, Cover Material #8 - Clean Broken Stone; and

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

CONSENT AGENDA – continued:

7. **Resolution Authorizing State Contract Purchase.**

**TOWNSHIP OF READINGTON
RESOLUTION AUTHORIZING STATE CONTRACT PURCHASES
R-2006-88**

WHEREAS, the Township of Readington wishes to purchase Ford Crown Victoria Police Interceptor from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, *N.J.S.A.* 40A:11-12; and

WHEREAS, Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034 has been awarded New Jersey State Contract No. # A45069 for Ford Crown Victoria Police Interceptors for the period one (1) year; and

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the purchase of Ford Crown Victoria Police Interceptor is expected not to exceed \$22,000.00; and

WHEREAS, the Chief Finance Officer has certified the availability of funds for this contract.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Winner Ford be awarded a contract for a Ford Crown Victoria Police Interceptor; and

BE IT FURTHER RESOLVED, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

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

8. **Jacobs-BBL** - Partial Payment #10 for Three Bridges Pump Station project.
9. **Fiddler's Elbow Country Club** - request for permission to hold fireworks display at their Independence Day Celebration (July 4, 2006).
10. **Ryan Homes/Block 64, Lots 8.05, 8.11, 8.12, 8.13, 8.15 & 8.16** - release of driveway bonds.
11. **Patel/Block 38, Lot 38.19** - request for return of unused Board of Health witness fees.
12. **Application for Catering Permit** - Growth Restaurants, Inc. (July 28th - 30th).
13. **Application for Membership in NJ Firemen's Association** - Kevin M. Krill.
14. **Application for Blue Light Permit** - Gerald Neumann.
15. **Application for Raffles Licenses** - The ARC of Hunterdon County.

16. *Lien Redemption* - resolution.

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

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 84, Lot 3; and

CONSENT AGENDA – continued:

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 \$9,652.59 known as Tax Sale Certificate #95-13, to the lien holder, C.W. Price.

17. *Tax Refund* - resolutions.

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

WHEREAS, the Tax Collector has recommended the following 2006 tax refunds:

<u>BLOCK/LOT</u>	<u>REASON</u>	<u>REFUND TO</u>	<u>AMOUNT</u>
60/12	duplicate payment	Jamie McMahon, Esq.	\$ 3,269.14
76/3.10	duplicate payment	Wells Fargo Real Estate	\$ 3,294.00

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

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

WHEREAS, the Tax Collector has recommended the following 2006 sewer refund:

<u>BLOCK/LOT</u>	<u>REASON</u>	<u>REFUND TO</u>	<u>AMOUNT</u>
95/11.10	duplicate payment	Louis Diaz	\$ 100.00

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

18. *Payment of the Bills.*

Fund Description	Fund No.	Received Total
CURRENT FUND APPROPRIATION	001	\$1,751,776.35
SEWER APPROPRIATION	002	\$ 98,637.34
TRUST APPROPRIATION	003	\$ 152,658.80
CAPITAL APPROPRIATIONS	004	\$ 19,944.05
MISC. REFUND, COUNTY TAX, LIENS	005	\$ 597,951.60
PAYROLL DEDUCTIONS	006	\$ 202,118.59
REGIONAL AND LOCAL SCHOOL TAX	007	\$2,785,236.00
TOTAL OF ALL FUNDS:		\$ 5,608,322.73

19. *Municipal Court & Violations Bureau Report* for May, 2006.

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

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

CORRESPONDENCE/OTHER INFORMATION:

1. Letter dated June 8, 2006 from Cynthia J. Yard, Hunterdon County Administrator, regarding ***remembrance of the 5th Anniversary of September 11, 2001***, noted for information. No action taken.
2. Memorandum dated June 13, 2006 from Sharon L. Brienza, Municipal Clerk, Twp. of Branchburg, ***regarding introduction of the following:***
 - § Ordinance #2006-1033 Amending the Land Development Ordinance of the Twp. of Branchburg by providing design standards for non-residential development.
 - § Ordinance #2006-1034 Amending the Land Development Ordinance of the Twp. of Branchburg by changing density and review requirements in the VR Village Residential District (Neshanic Station) and the NBH North Branch Hamlet Zone.
 - § Ordinance #2006-1035 Amending the Land Development Ordinance of the Twp. of Branchburg by revising the bulk standards in the R/S-1 Retail Service Zone, removing automobile service stations as a conditional use in the R/S-1 Retail Service Zone and revising the conditional use standards for automobile service stations.

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

3. Notice regarding ***hearing before the Branchburg Township Zoning Board of Adjustment - Dousa, Block 16, Lot 1.03***, noted for information. No action taken.
4. Notice from Franklin Township regarding ***adoption of a Resolution urging the State of New Jersey to re-evaluate the allocation of the motor vehicle court fines so they are used for Law Enforcement Initiatives which would include the continuation of the State Police rural patrol services***, noted for information. No action taken.
5. Notice from Franklin Township regarding ***adoption of a Resolution encouraging the State of New Jersey to continue the statewide Deer Recovery Program***, noted for information. No action taken.
6. Letter dated June 2, 2006 from Michael J. Filippone, Director, Rates & Regulatory Affairs-NJ, regarding ***JCP&L's proposed Non-Utility Generation Rate Increase***, noted for information. No action taken.
7. Letter dated May 15, 2006 from Gary W. Dean, PE regarding ***application for Major Access Permit - The Learning Experience, Block 22, Lot 5***, noted for information. No action taken.
8. Letter dated June 6, 2006 from Dennis Stainken, PhD, ESA, PWS, Princeton-Somerset Group, Inc., regarding ***Letter of Interpretation Extension & GP #2 Permit Extension - Elizabethtown Water Company, Block 4, Lot 42***, noted for information. No action taken.
9. Letter dated May 31, 2006 from Edward A. Kuc, Principal Ecologist, Eastern States Environmental Associates, Inc. regarding ***application for Letter of Interpretation - Stanton Manor Associates, LLC, Block 61, Lot 5***, noted for information. No action taken.

10. Letter dated June 13, 2006 from John Peel, PP, PK Environmental Planning & Engineering, regarding *Application for NJDEP Transition Area Waiver Averaging Plan - Christopher Emmett (Emmett & Company), Block 12.01, Lot 14.01*, noted for information. No action taken.

PUBLIC HEARINGS:

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

PUBLIC HEARINGS – continued:

***Readington Wine & Spirits, LLC. -
Public Hearing for issuance of Plenary Retail Distribution Liquor License.***

Administrator Mekovetz said she received a request today asking that this Public Hearing be continued until sometime in July. She asked Attorney Dragan whether it would be necessary to readvertise this Public Hearing because it has been quite some time since it was originally advertised.

Mr. Gordon Stewart appeared before the Committee. He said the outstanding issues should be resolved by the end of this week.

Attorney Dragan recommended that it be re-advertised by the applicants because the matter has been continued so many times.

Ordinance #20-2006

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

Clerk read by Title:

***AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF AN EASEMENT
DEDICATED ON A PORTION OF BLOCK 13, LOT 19 FOR DRAINAGE PURPOSES ON
OLD HIGHWAY ROUTE 28 IN THE TOWNSHIP OF READINGTON, COUNTY OF
HUNTERDON AND STATE OF NEW JERSEY FROM JEFFREY R. ALIX AND
CATHERINE A. ALIX***

Ordinance #20-2006

Mayor Shamey said this ordinance provides for the acceptance of a drainage easement on Old Highway.

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

Clerk read by Title:

***AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF AN EASEMENT
DEDICATED ON A PORTION OF BLOCK 13, LOT 19 FOR DRAINAGE PURPOSES
ON OLD HIGHWAY ROUTE 28 IN THE TOWNSHIP OF READINGTON, COUNTY
OF HUNTERDON AND STATE OF NEW JERSEY FROM JEFFREY R. ALIX AND
CATHERINE A. ALIX***

Ordinance #20-2006

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

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

Ordinance #21-2006

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

Ordinance #21-2006 – continued:

Clerk read by Title:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF AN AGRICULTURAL DEVELOPMENT RIGHTS EASEMENT ON PROPERTY KNOWN AS BLOCK 57, LOT 13.01 TO THE COUNTY OF HUNTERDON FOR FARMLAND PRESERVATION

Ordinance #21-2006

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

Mrs. Allen said this property is a 55 acre farm on Harlan School Road that was approved for Farmland Preservation under Planning Incentive Grant VIII. The total purchase price is \$901,000. The Township is scheduled to receive a 60% cost share from the State and a 20% cost share from the County upon closing.

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

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

Clerk read by Title:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF AN AGRICULTURAL DEVELOPMENT RIGHTS EASEMENT ON PROPERTY KNOWN AS BLOCK 57, LOT 13.01 TO THE COUNTY OF HUNTERDON FOR FARMLAND PRESERVATION

Ordinance #21-2006

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

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

OLD BUSINESS:

1. ***New Jersey Transit*** - installation of new utility pole by JCP&L.

Administrator Mekovetz said she received a letter from Engineer McEldowney, who spoke with a representative from JCP&L and determined the exact location of the utility pole. Engineer McEldowney has no objection to the installation of the pole.

A MOTION was made by Mrs. Muir to approve the installation of a new utility pole by JCP&L, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

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

Mayor Shamey said following the ratification of the bond ordinance on May 16th the Township has reached out to members of Solberg Aviation through various means. A letter was sent by Administrator Mekovetz requesting that a meeting be scheduled to resume negotiations. A follow-up letter was sent when no response to the initial request was received.

Mayor Shamey said he has called Mr. Solberg several times. Mr. Solberg said he would speak to his sisters and get back to Mayor Shamey, however he has not.

Mayor Shamey said a letter was received from Mr. Solberg indicating that, due to his busy travel schedule, that he would be unavailable to meet until after June 28th.

NEW BUSINESS:

1. Letter of resignation from ***Ron Armellino, Readington Twp. Recreation Committee.***

A MOTION was made by Mrs. Muir to accept Ron Armellino=s resignation from the Recreation Committee with regret, and to send him a letter thanking him for his years of service to the Township. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

2. ***Request for permission to place banner on Route 523 - HMC.***

A MOTION was made by Mrs. Muir to approve the request to hang a banner during the month of October advertizing Breast Cancer Awareness Month on Route 523 (in front of Whitehouse Fire Co. #1), contingent on review and approval by the Township=s Police Department and the County Department of Roads, Bridges & Engineering. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

3. ***Bond Ordinance/Block 12.01, Lot 15 (Emmett) - introduction.***

The following ordinance was offered for introduction:

BOND ORDINANCE PROVIDING FOR THE TOWNSHIP'S COST SHARE WITH THE COUNTY OF HUNTERDON OF THE ACQUISITION OF PROPERTY (BLOCK 12.01, LOT 15, OWNER: EMMETT) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Ordinance #23-2006

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Readington, in the County of Hunterdon, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$150,000, including the sum of \$7,500 as the down payment required by the Local Bond Law. The down payment is now available from the Open Space Trust Fund.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$142,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the Township's cost share with the County of Hunterdon of

the acquisition of property known as Block 12.01, Lot 15 (Owner: Emmett) on the tax maps of the Township, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all

Bond Ordinance/Block 12.01, Lot 15 (Emmett) – continued:

matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$142,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$15,000 for items of expense listed in and permitted under *N.J.S.A. 40A:2-20* is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not

issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Bond Ordinance/Block 12.01, Lot 15 (Emmett) – continued:

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. The Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as the case may be, are authorized pursuant to *N.J.S.A. 40A:12-1 et seq.*, and any other applicable law, to prepare and sign any and all necessary documentation to effectuate the acquisition as described herein, concerning the property known as Block 12.01, Lot 5, including, but not limited to, any contracts and amendments thereto and all closing documents needed to complete the purchase.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

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

Public Hearing was scheduled for July 17, 2006 at 8:00 p.m.

4. ***Amendment to Ordinance #34-2002/Fees for Copies of Public Records*** - consideration.

Mayor Shamey said this amendment would increase the fees for street maps from \$2.00 to \$4.00. The Township is currently being charged \$4.00 for the printing of these maps.

The following ordinance was offered for introduction:

***AN AMENDMENT TO AN ORDINANCE OF THE TOWNSHIP OF READINGTON,
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY PERTAINING TO FEES
FOR COPIES OF PUBLIC RECORDS***

Ordinance #24-2006

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

Section 1. Section ' -5. entitled "Procedures and fees for purchasing copies of public records" is hereby supplemented and amended as follows (deletions are indicated ~~thus~~; additions are indicated thus):

C. Pre-printed documents:

Zoning Map	\$ 5.00
Street Map	\$ 2.00 <u>\$4.00</u>
Land Use Pamphlet	\$30.00
Master Plan	\$30.00
Supplements to Master Plan	\$30.00 each
Sr. Citizens Supplement	\$50.00

Section 2: All ordinances and parts of ordinances which are inconsistent with the provision of this ordinance are hereby repealed to the extent of such inconsistency.

Section 3: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

Amendment to Ordinance #34-2002/Fees for Copies of Public Records – continued:

Section 4: This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

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

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

Public Hearing was scheduled for July 17, 2006 at 8:00 p.m.

5. ***Stowaway Self Storage/Block 39, Lots 62 & 64*** - request for release of Performance Bond.

***TOWNSHIP OF READINGTON
 RESOLUTION
 R-2006-81***

WHEREAS, Stowaway Self Storage, LLC. did on February 15, 2006 file a written request with the Clerk of the Township of Readington for the release of the remaining Cash Performance Guarantee in the amount of \$8,515.00 and Performance Bond #SP9616 in the amount of \$76,632.00 for work completed on Block 39, Lots 62 & 64; and

WHEREAS, the Township Engineer has reviewed this request, conducted a final inspection of bonded items, and has no objection to the release of these funds, as indicated in his letter of June 8, 2006.

DEVELOPMENT	BOND OR CHECK	ORIGINAL BONDED AMOUNT @ 120%	CURRENT REMAINING PERFORMANCE GUARANTEE @ 120% VALUE	RECOMMENDED REDUCTION BY (%) FOR WORK COMPLETED	REMAINING PERFORMANCE GUARANTEE @ 120% VALUE
Stowaway Self Storage, LLC. Block 39, Lots 62 & 64	St. Paul Fire & Marine Insurance Co. #SP616	\$368,938.00	\$76,632.00	100%	\$0.00
	Check #8702	\$40,993.20	\$8,515.00	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 the remaining Cash Performance Guarantee in the amount of \$8,515.00 and Performance Bond #SP9616 in the amount of \$76,632.00, 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 releases to the applicant.

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

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

6. **Resolution making application to the Local Finance Board for financing from the NJ Environmental Infrastructure Financing Program.**

This item was addressed under the Consent Agenda.

NEW BUSINESS – continued:

7. **Resolution Declaring Official Intent to Reimburse Expenditures for Project Costs from the Proceeds of Debt Obligations in Connection with Participation in the 2006 NJ Environmental Infrastructure Trust Financing Program.**

This item was addressed under the Consent Agenda.

8. **Application for Domestic Violence Training Project Grant/\$6,730 - resolution.**

This item was addressed under the Consent Agenda.

9. **Liquor License Renewals - resolution.**

Administrator Mekovetz said the reason she asked that this item be removed from the Consent Agenda is that one requirement for the annual renewal of a liquor license is a tax clearance certificate. She has not received this document for Readington Diner so they must be removed from the resolution.

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
 RESOLUTION AUTHORIZING ALCOHOLIC BEVERAGE LICENSE RENEWALS
 R-2006-85**

BE IT RESOLVED, by the Township Committee of the Township of Readington that the following Readington Township Alcoholic Beverage License Renewals for 2006-2007 be approved:

PLENARY RETAIL DISTRIBUTION:

<u>LICENSE NUMBER</u>	<u>LICENSE HOLDER</u>	<u>MUNICIPAL FEE</u>	<u>STATE FEE</u>
1022-44-008-005	Bishop & Bishop Bar & Liquors	\$1,281.60	\$200.00

PLENARY RETAIL CONSUMPTION:

<u>LICENSE NUMBER</u>	<u>LICENSE HOLDER</u>	<u>MUNICIPAL FEE</u>	<u>STATE FEE</u>
1022-33-001-002	Chanco (Stanton Ridge Country Club)	\$1,281.60	\$200.00
1022-33-006-005	Ryland Inn Restaurant Operation, L.L.C.	\$1,281.60	\$200.00
1022-33-007-005	Bensi of Whitehouse Station, LLC.,	\$1,281.60	\$200.00
1022-33-009-002	ASKJAC, LLC (Foolish Fox Tavern)	\$1,281.60	\$200.00
1022-33-003-006	What=s Cookin, Inc.	\$1,281.60	\$200.00
1022-33-002-009	Mitnick, Steve J. as assignee of Pirantello, LLC.	\$1,281.60	\$200.00

CLUB:

<u>LICENSE NUMBER</u>	<u>LICENSE HOLDER</u>	<u>MUNICIPAL FEE</u>	<u>STATE FEE</u>
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1022-31-012-001	Polish American Citizens Club	\$ 150.00	\$200.00
1022-31-010-001	Whitehouse American Legion	\$ 150.00	\$200.00
1022-31-013-001	Readington Volunteer Fire Company	\$ 150.00	\$200.00
1022-31-014-001	Three Bridges Volunteer Fire Company	\$ 150.00	\$200.00

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

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

10. *Dedication By Rider* - resolution.

This item was addressed under the Consent Agenda.

NEW BUSINESS – continued:

11. *2006 Cooperative Resurfacing & Surface Treatment Program* - resolution.

This item was addressed under the Consent Agenda.

12. *Resolution Authorizing State Contract Purchase.*

This item was addressed under the Consent Agenda.

13. *Jacobs-BBL* - Partial Payment #10 for Three Bridges Pump Station project.

This item was addressed under the Consent Agenda.

14. *Fiddler=s Elbow Country Club* - request for permission to hold fireworks display at their Independence Day Celebration (July 4, 2006).

This item was addressed under the Consent Agenda.

15. *Ryan Homes/Block 64, Lots 8.05, 8.11, 8.12, 8.13, 8.15 & 8.16* - release of driveway bonds.

This item was addressed under the Consent Agenda.

16. *Patel/Block 38, Lot 38.19* - request for return of unused Board of Health witness fees.

This item was addressed under the Consent Agenda.

17. *Application for Catering Permit* - Growth Restaurants, Inc. (July 28th - 30th).

This item was addressed under the Consent Agenda.

18. *Application for Membership in NJ Firemen=s Association* - Kevin M. Krill.

This item was addressed under the Consent Agenda.

19. *Application for Blue Light Permit* - Gerald Neumann.

This item was addressed under the Consent Agenda.

20. *Application for Raffles Licenses* - The ARC of Hunterdon County.

This item was addressed under the Consent Agenda.

ADMINISTRATOR=S REPORT:

Written report submitted.

Administrator Mekovetz said regarding the leasing of Township properties for hunting, there was a recommendation to change the way the Township is bidding. She suggested that the Hunting Subcommittee schedule a meeting to discuss this matter.

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

ATTORNEY=S REPORT:

Written report submitted.

Attorney Dragan said the closing on the Dolan Farm is scheduled for tomorrow.

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

ENGINEER=S REPORT:

Written report submitted.

Mr. O=Brien said work on the bikeway will begin on July 5th. The road reclamation bids will be opened on June 28th. Work on Mill Road started today and they are still trying to schedule a meeting with NJ Transit regarding the Whitehouse Train Station.

Administrator Mekovetz said there is a Resolution for the Committee=s consideration regarding the State Aid application for Mill Road.

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION, APPLICATION AND AGREEMENT FOR STATE AID TO COUNTIES
AND MUNICIPALITIES
R-2006-89***

BE IT RESOLVED, that application is hereby made to the Commissioner of Transportation for an allotment of aid for the improvement of Mill Road Section II - Drainage Improvements.

From: Limit of Section I (Rockaway Creek) Sta. 17+40

To: Municipal Boundary of Tewksbury Township - Sta. 58+00

In the Municipality of Township of Readington, County of Hunterdon, State of New Jersey for a distance of 0.77 miles (or such portion thereof as may be approved by the Commissioner of Transportation). The total cost estimate for this improvement is \$263,251.00. The Sponsor requests \$150,000.00 in State funds and anticipates contributing \$113,251.00; and

BE IT FURTHER RESOLVED, that any aid received as a result of this application will only be used for eligible costs for the project.

AND BE IT FURTHER RESOLVED, that if this application is approved and accepted by the New Jersey Department of Transportation (Athe Department@), the Sponsor agrees that:

- a. It shall arrange for financing of the total cost of the project provided for in this Agreement.
- b. It recognizes and agrees that continuation of funding under this Agreement is expressly dependent upon the availability to the Department of funds appropriated by the State Legislature from State revenues or such other funding sources as may be applicable. The Department shall not be held liable for any breach of this Agreement because of the

absence of available appropriation.

- c. In the event that the Department approves funds in an amount less than requested, the Sponsor, at its option, 1) may either rescind this Agreement or 2) continue with the project and assume the entire difference between the total cost of the project and the allotment of State funds or 3) reevaluate the project limits or scope and submit a revised Resolution, Application, and Agreement for Department approval. In the event the Sponsor rescinds the Agreement, the allotted funds shall revert to the Transportation Trust Fund.
- d. The Sponsor must notify the Department of its rescission of this Agreement within sixty (60) days of its receipt of notification of the amount allotted by the Department.
- e. Any purported transfer or assignment of the written obligations of the Sponsor contained herein without prior approval of the Department shall be void.
- f. Failure to comply with all provisions contained in this Resolution, Application and Agreement may result in the suspension and/or termination of funding as defined and enumerated in Office of Management & Budget's Circular 89-19.

Resolution, Application & Agreement for State Aid to Counties & Municipalities – continued:

- g. The work to be performed by the Sponsor under this Agreement shall include but not be limited to the following:
 - 1. Preparation of contract drawings and supplementary specifications.
 - 2. The acquisition of all necessary right-of-way, easements, slope rights and permits.
 - 3. Construction of the above referenced improvement.
 - 4. Monitoring and supervising compliance with all provisions of this Agreement.
- h. It shall defend, indemnify, protect and save harmless the State and its officers, agents, servants, and employees from and against any and all suits, claims, demands or damages of whatsoever kind and nature arising out of, or claimed to arise out of, any act, error or omission of the Sponsor, its consultants, contractors, agents, servants and employees in the performance of the work of the project including, but not limited to, expenditures for and costs of investigations, hiring of expert witnesses, court cost, counsel fees, settlements, and judgments.
- i. It shall engage a Professional Engineer, registered in the State of New Jersey, for design services on the project. In its Agreement for professional services, the Sponsor shall require the provision of professional liability insurance or errors and omissions insurance sufficient to protect against liabilities arising out of the professional obligations performed pursuant to the agreements.
- j. In its agreements for professional and non-professional services, the Sponsor shall require the provisions of public liability insurance and every such policy shall include the Sponsor and State as additional named insureds.
- k. All design work shall conform to the applicable American Association of State Highway and Transportation Officials (AASHTO) design criteria and the Department's Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines. The design of traffic barriers and drainage systems shall conform to the Department's Roadway Design Manual. No deviation shall be allowed without the knowledge of the Department. If there is deviation from those standards, the Sponsor shall accept any and all responsibility for any injury or damage by such deviation to any person or property and shall indemnify the State as outlined in this Agreement. All design shall also conform to the current AManual On Uniform Traffic Control Devices@ published by Federal Highway Administration.
 - 1. It shall provide maps, reports, detailed plans, supplementary specification and contract documents required by the Department.
- m. All workmanship and materials shall conform to current ANew Jersey Department of

Transportation Standard Specifications for Road and Bridge Construction@ as amended for State Aid.

- n. It is the responsible authority, without recourse to the State, regarding the settlement and satisfaction of all contractual and administrative issues arising out of the procurement entered in support of this funding.
- o. Prior to advertising for bids, the Sponsor shall notify the Department if it intends to substantially change the scope of the project proposed in the Resolution, Application, and Agreement. No substantial change shall be included in the project unless it has been approved by the Department.
- p. Any changes in work after the award of contract shall be documented with a Department approved change order.
- q. Fifteen (15) calendar days prior to advertisement, the Sponsor shall submit the following to the Division of Local Government Services and Economic Development:
 - 1. One (1) copy of the contract plans, specifications, engineer's estimate, and engineer's design certification.

Resolution, Application & Agreement for State Aid to Counties & Municipalities – continued:

- 2. Other documents as required.
- r. It shall advertise and award the contract in accordance with the provisions of the Local Public Contracts Law, *N.J.S.A. 40 A:11-1 et. seq.*
- s. It shall comply with all applicable Federal, State and Local laws, rules, ordinances and regulations.
- t. Within thirty (30) calendar days of construction bids, unless the Department grants an extension of this time, the Sponsor shall submit the following to the Division of Local Government Services and Economic Development.
 - 1. Two (2) copies of the summary of construction bids.
 - 2. A resolution awarding the contract to the lowest responsible bidder submitting a responsive bid, subject to the approval of the Department.
- u. For municipal grants, the municipality shall award a construction contract for the grant project within eighteen (18) months of approval of this Resolution, Application, and Agreement by the Department. The Department in its sole discretion may provide one six (6) month extension after receiving an adopted resolution and justification from the Sponsor at least thirty (30) days prior to the expiration of the grant agreement. The Department in its sole discretion may provide a second six (6) month extension under extraordinary circumstances as defined by *NJAC 16:20B 1.3* after receiving an adopted resolution and justification from the Sponsor at least thirty (30) days prior to the expiration of the first six month extension. The Department may cancel the grant agreement if the Sponsor does not award the construction contract by the specified time or if an extension is not requested at least thirty (30) days prior to the expiration of the grant agreement or subsequent extensions; or if an extension of time is not granted.
- v. Cancellation of the grant agreement because a construction contract was not awarded within the time requirements or because an extension of time was not properly requested thirty (30) days prior to grant agreement expiration or subsequent extensions will result in future grant funds being provided on a reimbursement basis until such time as the Sponsor demonstrates it can award a construction contract within the specified time frames.
- w. Sponsors may voluntarily cancel the grant agreement with written notice thirty (30) days prior to the expiration of the grant agreement or subsequent extensions. Voluntarily canceling the grant agreement with proper notification will result in no penalties on future grants.

- x. Upon prior approval of the Department, it may elect to undertake the work through the use of its own forces when it is deemed applicable and appropriate.
- y. Neither design costs, the costs for acquisition of all necessary right-of-way, easements, slope rights, and permits nor utility costs shall be considered costs of the project for purposes of computation of the allotment of State Aid funds under this Agreement except in special cases approved by the Department
- z. State participation in the cost of the project shall not exceed the lesser of either 100 percent of the cost of the completed construction work including eligible construction supervision, inspection and material testing, or the original allotment. State participation in inspection and material testing costs combined shall be limited to 15 percent of the eligible construction work cost. The State shall not participate in costs that the Department determines to be beyond the scope of the purposes of the allotment, excessive or otherwise unallowable. The Sponsor shall be afforded an opportunity to challenge this determination at an informal hearing.
- aa. At the discretion of the Commissioner of Transportation, payment of the allotted funds may be made to the project Sponsor in the form of a grant. Grant payments shall be made as follows:

Resolution, Application & Agreement for State Aid to Counties & Municipalities – continued:

- 1. For programs administered by the Division of Local Aid and Economic Development, a specified percentage, of the lesser of the eligible award amount or allotment amount shall be paid at the time of concurrence in the award of contract by the Department or the full amount of the allotment shall be paid upon approval of this agreement as determined by the Commissioner. The remaining percentage or balance of funds shall be paid upon submission of a final voucher with supporting information as required by the Department. The final voucher must be submitted to the Department within six (6) months of project acceptance. The Department reserves the right to inspect the work associated with the grant as per *N.J.A.C 16:20B-3.2*.
- 2. For County Aid and the Local Bridge Bond Act, the full amount of the annual allotment amount shall be paid upon approval of the Annual Transportation Plan (ATP) and the execution of this Agreement unless the County has demonstrated unsatisfactory performance, whereby funds will be provided similar to municipal grants.
- 3. If the Sponsor requests, progress payments shall be on a reimbursement basis. It shall request reimbursement from the Department by submitting vouchers supplied by the Department with supporting information as required by the Department. Progress payments of not less than \$50,000 may be made.
- bb. The Sponsor hereby certifies that all allotted funds shall only be spent on eligible costs for the approved project(s) as described in this Agreement.
- cc. In the event allotted funds remain after completion of the work, the remaining funds shall revert to the source of the funding and shall be reallocated by the Department in a manner determined solely by the Commissioner of Transportation.
- dd. In the event that the Department determines that it has reimbursed the Sponsor in an amount in excess of the funds actually due under this Agreement, the Sponsor shall, upon notice FROM the Department, make timely repayments to the State. Upon failure of the Sponsor to timely repay such funds, the State is hereby authorized by this Agreement to deduct those funds FROM any monies due the Sponsor under the terms of any agreement between the State, its Departments and Agencies and the Sponsor or to gain reimbursement through any other remedies available at law or equity.
- ee. It shall provide cost certification and maintain financial records relating to all costs

for the project in accordance with *N.J.A.C.* 16:20A or 16:20B, as applicable, and comply with State of New Jersey audit requirements specified therein.

- ff. It shall maintain complete documentation of the project for a period of three (3) years after receiving final reimbursement or payment by the State.
- gg. It shall maintain the completed project in a manner satisfactory to the Department.
- hh. It will comply with Title VI of the 1964 Civil Rights Act.
- ii. Failure to comply with all provisions contained in this Resolution, Application and Agreement may result in the suspension and/or termination of funding.
- jj. Approval as to Form by Certification Process.

BE IT FURTHER RESOLVED, that the Mayor and the Township Clerk are hereby authorized to execute and attest this Resolution, Application and Agreement.

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

Mr. O'Brien said he had nothing further to report at this time.

COMMITTEE REPORTS:

1. Gerard Shamey:

a. Engineering, Roads, Maintenance & Recycling

Mayor Shamey said the Road Department received their new paving machine. A lot of tree work and mowing is being done.

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

b. Code Enforcement Department\Construction Code Department

Mayor Shamey said he spoke with Construction Code Official Mike Kovonuk regarding the upcoming Balloon Festival. He told Mr. Kovonuk that the promoters of the Balloon Festival must comply with all regulations.

c. Senior Services

Mayor Shamey said there is a Senior Farmer=s Market program that residents who are at least 60 years of age and meet income requirements can participate in. Seniors will receive four (4) checks valued at \$5 each which can be redeemed at participating farm stands for fresh produce and herbs.

Mayor Shamey said there is a program called Link Up Hunterdon scheduled for June 28th from 1:00 to 3:30 p.m. at 4 Gauntt Place in Flemington. All Hunterdon County residents are invited to attend and learn more about the County=s transportation system.

2. Julia Allen:

a. Farmland\Open Space Preservation\Land Projects Liaison

Mrs. Allen said a walk of the greenway from Pleasant Run Road to Summer Road Park was held on Sunday.

Mrs. Allen said she is very pleased with the County=s new program of having monthly meetings regarding the Farmland Preservation Program.

Mrs. Allen said the Readington Trail Association had their annual Trail Pace on Sunday. Their proceeds are traditionally donated to one (1) of the volunteer fire companies or the

Rescue Squad.

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

22. Thomas Auriemma:

As Mr. Auriemma was not in attendance, no report was given.

23. Frank Gatti:

a. Finance Department

1. *Lien Redemption* - resolution.

This item was addressed under the Consent Agenda.

2. *Tax Refund* - resolution.

This item was addressed under the Consent Agenda.

3. *Payment of the Bills.*

This item was addressed under the Consent Agenda.

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

COMMITTEE REPORTS – continued:

5. Beatrice Muir:

a. Board of Health

Mrs. Muir said two (2) members of the Board of Health are attending a meeting at the County in regard to bird flu and/or other kinds of emergency situations. They will report back to the Board of Health at their meeting on Wednesday evening.

b. Public Assistance

Mrs. Muir said residents who are interested in participating in the Star Fish 4th of July food basket distribution can contact Nancy O=Malley (534-4714) for additional information. In addition, food donations can be dropped off at Our Lady of Lourdes Church.

c. Municipal Court

bb. *Municipal Court & Violations Bureau Report* for May, 2006.

This item was addressed under the Consent Agenda.

Mayor Shamey asked that the Committee consider rescheduling the meeting that is scheduled for July 3rd. After a short discussion, the Committee agreed to reschedule the meeting for Wednesday, July 5th at 6:30 p.m.

COMMENTS FROM THE PUBLIC:

Mayor Shamey asked for comments from the public.

Ms. Ingelore Krug said that Old Readington Road is still not finished.

Administrator Mekovetz said she just scheduled a meeting with Director of Public Works Scott Jesseman to discuss the proposal for the general improvement ordinance for roads. She will check and see if Old Readington Road was on the list for last year, or if it is on the list for this year.

COMMENTS FROM THE GOVERNING BODY:

Mayor Shamey asked for comments from the Governing Body.

Mrs. Muir said the bridge on Barley Sheaf Road is scheduled to be closed on July 5th for two (2) months.

ADJOURNMENT

As there was no further business, a motion was made by Mrs. Muir at 8:45 p.m., seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC
Administrator\Municipal Clerk