

**READINGTON TOWNSHIP COMMITTEE
MEETING – OCTOBER 16, 2006**

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

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

ALSO PRESENT: Attorney Dragan, Administrator Mekovetz and Engineer McEldowney

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

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

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

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

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

EXHIBIT A

<u>Subject Matter</u>	<u>Basis of Public Exclusion</u>	<u>Date Anticipated When Discussion Will Be Disclosed to Public</u>
Police Department.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Recreation - Needs Assessment	Contract Negotiations.....	" " "
Block 63, Lot 13 (Accettola).....	Contract Negotiations.....	" " "
Block 64, Lots 29 (Chesla).....	Contract Negotiations.....	" " "
Awarding of Articulated Wheel Loader Bid.....	Contract Negotiations.....	" " "
Kevin J. Devine & Taxpayers Alliance of Readington v. Mayor & Twp. Committee of Twp. of Readington & Twp. of Readington.....	Litigation.....	" " "
Executive Session Minutes.....	Attorney-Client Privilege.....	" " "
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8, Block 39, Lot 24 & Block 67, Lot 2 (Solberg Aviation - Hromoho).....	Contract Negotiations.....	" " "
Professional Services.....	Contract Negotiations.....	" " "

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

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

The meeting reconvened at 7:55 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:

Personnel – Police Department

A MOTION was made by Mr. Gatti to hire Andrew J. Wayne to fill the position that will be vacated by Patrolman Gabel, contingent on successful completion of the Somerset Police Academy, at the annual starting salary for a Probationary Patrolman is \$46,950 and the starting date would be January 1, 2007. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Contract Negotiations – Recreation/Needs Assessment

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

Contract Negotiations – Block 63, Lot 13 (Accettola)

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

Contract Negotiations – Block 64, Lots 29 (Chesla)

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

Contract Negotiations – Awarding of Articulated Wheel Loader Bid

A MOTION was made by Mr. Gatti to award the contract for one (1) articulated wheel loader to Jesco in the amount of \$87,805 (base cost of \$92,145, inclusion of extended warranty for \$1,160 and less \$5,500 for trade in of Case). This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Litigation - Kevin J. Devine & Taxpayers Alliance of Readington v. Mayor & Twp. Committee of Twp. of Readington & Twp. of Readington

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

Attorney-Client Privilege - Executive Session Minutes

A MOTION was made by Mrs. Muir to approve the Executive Session Minutes from January, 2006 through September, 2006 for release, after review and redaction as necessary by Special Counsel. 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	

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)

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

Contract Negotiations – Professional Services

Banisch Associates, Inc.

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL PLANNING EXPERTS
#R-2006-129***

WHEREAS, the Township of Readington has a need to acquire Professional Planning 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, Banisch Associates, Inc. has submitted a proposal indicating they will provide Professional Planning Services at rates as detailed in the contract for the following matter:

Toll Brothers, Inc. vs. the Township of Readington, *et al.*
Docket No. SOM-L-618-04 (formerly HNT-L-495-02)

WHEREAS, Banisch Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Banisch Associates, Inc. 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 Banisch Associates, Inc. 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 Banisch Associates, Inc. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2006; and

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

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

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

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

Hatch, Mott, MacDonald

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL PLANNING EXPERTS
#R-2006-130**

WHEREAS, the Township of Readington has a need to acquire Professional Planning 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, Hatch, Mott and MacDonald has submitted a proposal indicating they will provide Expert Services at rates as detailed in the contract for the following actions:

Toll Brothers, Inc. vs. the Township of Readington, *et al.*
Docket No. SOM-L-618-04 (formerly HNT-L-495-02)

Mark Hartman and Wilmark Building Contractors, Inc. v. Township of Readington - Docket No. 02-2017 (MLC)

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

WHEREAS, Hatch, Mott and MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch, Mott and MacDonald 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 Hatch, Mott and MacDonald 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 Hatch, Mott and MacDonald as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2006; and

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

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

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

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

EXECUTIVE SESSION – continued:

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

State of New Jersey vs. Moore

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

CONSENT AGENDA:

1. ***APPROVAL OF THE MINUTES*** of meeting of October 2, 2006.
2. ***Awarding of Bond Anticipation Notes***
3. ***Request for refund of permit fees (exempt from fee as member of East Whitehouse Fire Co.) - Anastasi - Block 39, Lot 34.***
4. ***DeMaio Electric*** - Payment #1 for Three Bridges Pump Station project.
5. ***Anderson House*** – reimbursement of permit fees for 2006 Seafood Festival.
6. ***Compass Construction, Inc./Bikeway & Pedestrian Walkway*** – payment #4.
7. ***Application for Social Affair Permit*** - Polish American Citizens Club.
8. ***Application for Raffles License*** – Whitehouse Rotary Club.
9. ***Application for Raffles License*** – Whitehouse Fire Co. #1, Inc.
10. ***Monthly Collection Report*** for September, 2006.
11. ***Monthly Collection Report for Sewers*** for September, 2006.
12. ***Tax Refunds*** – resolution.

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

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

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

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

CONSENT AGENDA – continued:

13. **Payment of the Bills.**

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

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 dated September 28, 2006 from Donna J. Burham, Acting Municipal Clerk, Twp. of Clinton, regarding **adoption of a resolution supporting Shared Services and the Application for grant funds**, noted for information. No action taken.
2. Notice dated September 28, 2006 from Donna J. Burham, Acting Municipal Clerk, Twp. of Clinton, regarding **adoption of a resolution opposing litigation regarding deer pick-up**, noted for information. No action taken.
3. Letter dated October 4, 2006 from Kuang-Yu Liao, KC Engineering, PC, regarding **Replacement of Somerset County Bridge No. B-0701 – Centerville Road – application for Stream Encroachment - Freshwater Wetlands Statewide General Permits**, noted for information. No action taken.

OLD BUSINESS:

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

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

The Township has commenced an Eminent Domain Action with respect to the 624 acres of open space surrounding Solberg airport, as well as the development rights to approximately 102 acres of the airport proper. This was followed by the filing of a Declaration of Taking in the Superior Court last week. A court date has been scheduled for November 3, 2006 in the Somerset County Courthouse.

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

Action on this item was deferred.

NEW BUSINESS:

1. ***Letter for consideration regarding concerns about Office of Smart Growth's August 29, 2006 version of state plan map.***

Mrs. Allen said the suggestion of the seven (7) town group, and consequently the suggestion of Hunterdon County as the leader of the Cross Acceptance, was to eliminate Planning Area II from Hunterdon County across the 78/22 corridor. The draft map that was put out by the Office of State Smart Growth reduces the size of Planning Area II, but does not eliminate it. She said this is a draft letter that the governing bodies of the seven (7) towns are being asked to send to the Office of Smart Growth asking that Planning Area II be eliminated in the cross acceptance process.

A MOTION was made by Mrs. Allen to send a letter to the Office of Smart Growth asking that Planning Area II be eliminated in the cross acceptance process. This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

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

Mayor Shamey said that he and Mr. Gatti are in the process of scheduling a meeting with representatives from Patriot Media. The public hearing will be scheduled after this meeting.

3. ***Block 38, Lots 54, 74 & 75*** – road vacation request.

Lloyd Tubman, Esq. appeared before the Committee. She said she represents Michael and Maria Renda and Ridge Road Associates who are requesting that the Committee consider vacating two (2) segments of paper streets.

Ms. Tubman said the owners of the three (3) lots are prepared to file for a major subdivision application. Upon examination of the title, there are two (2) paper streets that come from a May 12, 1954 subdivision which was abandoned.

Debbie D'Amico, PE, was sworn in by Attorney Dragan.

Ms. D'Amico said the application for the proposed subdivision has not been filed yet. The paper streets that they are requesting be vacated are Sophie Street and Pearl Street.

Mrs. Muir said she would like to have input from the Planning Board after a conceptual review.

Mayor Shamey asked if this request has been reviewed by the Planning Board's Technical Review Committee.

Mrs. Allen said the Planning Board can do an informal review and make a recommendation to the Township Committee.

Attorney Dragan said once there is a recommendation from the Planning Board, it would be necessary for the Committee to adopt a vacation ordinance.

Engineer McEldowney suggested that this request be forwarded to Patrolman Gooley for his review and recommendation. Asking him to coordinate with the Planning Board.

NEW BUSINESS – continued:

4. ***Country Classics Legacy at Readington*** – recommendation for street name.

Mayor Shamey said the recommendation is to name the street William Paterson Road.

Administrator Mekovetz said this request was forwarded to the Township’s 911 Coordinator for her recommendation.

Mrs. Muir said there is already a “Paterson Road” in Readington Township.

Mrs. Allen said perhaps the Street Naming Committee has other choices for the road name.

Mayor Shamey asked that these concerns be forwarded to the Street Naming Committee.

5. ***Treatment Works Approval Application*** - Block 9, Lot 21 (Readington Farms, Inc.).

The following Resolution was offered for consideration:

***TOWNSHIP OF READINGTON
RESOLUTION
R-2006-131***

WHEREAS, there is a need to extend the use of public sewers to accommodate property known as Block 9, Lot 21; and

WHEREAS, the developer/owner Readington Farms, Inc. has requested Readington Township to consent to an application for a Treatment Works Approval Permit for the extension and use of such sewers to Block 9, Lot 21; and

WHEREAS, the applicant, Readington Township, has filed application for the extension and use of such sewers to Block 9, Lot 21; and

WHEREAS, the Township Committee of the Township of Readington reviewed this application at its regular meeting held October 16, 2006; and

WHEREAS, it has been determined and reported by our Township Engineer that this application is in order and may be filed.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington does hereby authorize the following action:

1. The Township authorizes the Mayor or Deputy Mayor to sign for the Governing Body at appropriate locations on the WQM-003 Statement of Consent Form for Block 9, Lot 21.

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

6. ***Hunter’s Crossing Condominium Association*** – request for reimbursement for additional lighting.

Mayor Shamey said that due to a recent burglary and vandalism within the development, the Board of Trustees would like to install additional lighting to deter unwanted activities.

JCP&L recommended installing no more than a 250 watt floodlight on the street pole on Old York Road that would illuminate the area directly over the gazebo

Hunter's Crossing Condominium Association – continued:

behind Ferncrest Court. Since street lighting is part of the Municipal Services Reimbursement Agreement, the Association is requesting that the Township include the monthly cost of approximately \$32 in the service agreement.

Mayor Shamey said he also received a request from the Whitehouse Village Homeowners Association. They would like to install two (2) additional street lights. They were advised by the Planning Board/Board of Adjustment office that they would have to submit a site plan.

Attorney Dragan said under the Municipal Services Agreement Statute, the obligation of the Township is to pay for the lighting in the condo associations to the same extent that it would for the rest of the Township. She is not sure how the one (1) street light relates to this requirement.

Action on this item was deferred until additional information is obtained.

7. ***General Improvement Ordinance*** – introduction.

The following ordinance was offered for consideration:

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

Ordinance #41-2006

BE IT ORDAINED BY THE TOWNSHIP COUNCIL 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Readington, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,740,000, including the aggregate sum of \$87,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available from the Capital Improvement Fund.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,653,000 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
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<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Various road improvements, including drainage reclamation and overlay to Mountain Road Section III, Craig Road, Whitehouse Avenue, James Street, Railroad Station Parking Lot Expansion, Sunnyfield Road, Cornfield Lane, Strawberry Court, Round Valley Road and Mill Road Section II Phase I, including all work and materials necessary therefor and incidental thereto.	\$1,333,000	\$1,266,350	5 years
b) The acquisition of equipment for the Department of Public Works, including a single axle dump truck with a plow and spreader, a pickup truck, a mason dump truck with a spreader and hydraulics and a chipper, including all related costs and expenditures incidental thereto.	\$280,000	\$266,000	5 years
c) Museum renovations - Stickney Guest House, including all work and materials necessary therefor and incidental thereto.	\$97,000	\$92,150	10 years
d) The acquisition of a municipal voice mail system for administration, including all related costs and expenditures incidental thereto.	<u>\$30,000</u>	<u>\$28,500</u>	10 years
TOTALS	<u>\$1,740,000</u>	<u>\$1,653,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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 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

General Improvement Ordinance – continued:

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 Township 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 purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 5.36 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 \$1,653,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements 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.

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.

General Improvement Ordinance – continued:

Section 10. 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 Mr. Auriemma to introduce this Ordinance, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Public Hearing was scheduled for Monday, November 6, 2006 at 8:00 p.m.

8. ***Acceptance of Certain Roadways within Wilmark at Readington Phase I & Phase III*** – introduction.

The following ordinance was offered for consideration:

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

Ordinance #42-2006

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

SECTION 1. The Township of Readington shall accept as public, the following roads or portions of roads which have been dedicated to the Township Wilmark Building Contractors, Inc., as shown on the following filed maps for the Wilmark at Readington (also known as Stanton Place) site prepared by William U. Bohren, II, N.J.L.S. #19001, of Bohren and Bohren Associates, Inc., Liberty Court, Suite 800, Highway 202-31, Flemington, NJ 08822, which were filed in the Hunterdon County Clerk=s office as set forth below, and as more particularly set forth in the Deeds of Dedication from Wilmark Building Contractors, Inc., a corporation of the State of New Jersey, to the Township of Readington. The Deeds of Dedication for the roadways to be accepted is on file in the office of the Readington Township Clerk, at the Readington Township Municipal Building, 509 Route 523, Whitehouse Station, NJ.

- a. The following roadways as shown on the filed subdivision map entitled AFinal Plat - Phase I for Wilmark at Readington in Readington Township, Hunterdon County, New Jersey,@ dated April 1998, last revised to May 6, 1999 and filed in the Hunterdon County Clerk=s Office on May 26, 1996 as Map No. 1326 and as more particularly described in the above-mentioned Deed of Dedication:
 1. Indian Purchase
 2. Cornerstone Lane
 3. Creek Road

- b. The following roadway as shown on the filed subdivision map entitled AFinal Plat for Wilmark at Readington Phase III, in Readington Township, Hunterdon County, New Jersey,@ dated October, 2001, last revised to May 14,2002 and filed in the Hunterdon County Clerk=s Office on June 5, 2002 as Instrument No.

8371331 and as more particularly described in the above-mentioned Deed of Dedication:

1. Pierce Farm Road

Acceptance of Certain Roadways within Wilmark at Readington – continued:

SECTION 2. The Township acknowledges receipt of the aforementioned Deeds of Dedication for Subdivision Streets conveying the property, together with an executed Affidavit of Title, Corporate Resolution and documents evidencing that title is marketable and free and clear of liens.

SECTION 3. If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 4. This ordinance shall take effect immediately upon final adoption and publication according to law, and upon the recording of the Deed.

A MOTION was made by Mr. Auriemma to introduce this Ordinance, 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

Public Hearing was scheduled for Monday, November 6, 2006 at 8:00 p.m.

9. ***Awarding of Bond Anticipation Notes.***

This item was addressed under the Consent Agenda.

10. ***Request for refund of permit fees (exempt from fee as member of East Whitehouse Fire Co.) - Anastasi - Block 39, Lot 34.***

This item was addressed under the Consent Agenda.

11. ***DeMaio Electric - Payment #1 for Three Bridges Pump Station project.***

This item was addressed under the Consent Agenda.

12. ***Anderson House – reimbursement of permit fees for 2006 Seafood Festival.***

This item was addressed under the Consent Agenda.

13. ***Compass Construction, Inc./Bikeway & Pedestrian Walkway – payment #4.***

This item was addressed under the Consent Agenda.

14. ***Application for Social Affair Permit - Polish American Citizens Club.***

This item was addressed under the Consent Agenda.

15. ***Application for Raffles License – Whitehouse Rotary Club.***

This item was addressed under the Consent Agenda.

This item was addressed under the Consent Agenda.

ADMINISTRATOR’S REPORT:

Written report submitted.

Administrator Mekovetz said at the last meeting the Committee discussed a letter from a resident of Goldfinch Lane regarding train whistle noise. She said she looked into the use of a wayside horn system, however there has to be a “quite zone” established in order for these horns to be used. She will continue to look into the matter further.

Administrator Mekovetz said the County decided to bid out a contract for dead deer removal after the Township had already signed a contract for this service.

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

ATTORNEY’S REPORT:

Written report submitted.

Attorney Dragan said that closings were held on the Morelli, Jackson and Dubrowski properties

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

ENGINEER’S REPORT:

Written report submitted.

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

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

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

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

Mayor Shamey said that another rail needs to be installed below the lowest rail because the space would allow a small child to slip through.

Engineer McEldowney said the last section of Old York Road was paved last year. He received a call from the HCM Family Life Center and they want to connect to the PSE&G line which is located on the opposite side of Old York Road. In order to connect they would have to open the road, which was just paved.

Engineer McEldowney told them that the road must be kept closed for five (5) years. They have appealed his determination and are seeking relief.

Attorney Dragan said if there isn’t an ordinance in place restricting the opening of freshly paved roads for five (5) years she is not sure what recourse the Committee has. She will look into the matter further and report back to the Committee.

COMMITTEE REPORTS:

1. Gerard Shamey:

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

2. Julia Allen:

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

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

COMMITTEE REPORTS – continued:

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

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

3. Thomas Auriemma:

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

4. Frank Gatti:

a. Finance Department

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

This item was addressed under the Consent Agenda.

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

This item was addressed under the Consent Agenda.

3. *Tax Refunds* – resolution.

This item was addressed under the Consent Agenda.

4. *Payment of the Bills.*

This item was addressed under the Consent Agenda.

b. Historic Preservation/Museums

Mr. Gatti said a ribbon cutting was held at the Eversole Hall House last Saturday. It will be open every day this week from 1:00 to 4:00 with a train exhibit.

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

5. Beatrice Muir:

a. Board of Health

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

b. Public Assistance

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

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

COMMENTS FROM THE PUBLIC:

Mayor Shamey asked for comments from the public.

See Official Transcript attached hereto.

COMMENTS FROM THE GOVERNING BODY:

Mayor Shamey asked for comments from the Governing Body.

See Official Transcript attached hereto.

ADJOURNMENT

As there was no further business, a motion was made by Mrs. Muir at 10:05 p.m., seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC\CMC
Administrator\Municipal Clerk