

**READINGTON TOWNSHIP COMMITTEE  
MEETING – MAY 21, 2007**

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

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

**ABSENT:** Mr. F. Gatti and Engineer McEldowney

**ALSO PRESENT:** Administrator Mekovetz and Attorney Dragan

**EXECUTIVE SESSION:**

Clerk read the following Resolution:

**RESOLUTION**  
**EXECUTIVE SESSION**

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

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

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

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

**EXHIBIT A**

<b><u>Subject Matter</u></b>	<b><u>Basis of Public Exclusion</u></b>	<b><u>Date Anticipated When Discussion Will Be Disclosed to Public</u></b>
Administration.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
DPW.....	Personnel.....	" " "
Libraries.....	Personnel.....	" " "
Recreation.....	Personnel.....	" " "
Block 63, Lot 13 (Accettola).....	Contract Negotiations.....	" " "
Music Licensing Agreements.....	Contract Negotiations.....	" " "
AT&T .....	Contract Negotiations.....	" " "
Zoning Violation.....	Potential Litigation.....	" " "
Waste Management v. Readington Twp.....	Litigation.....	" " "
Executive Session Minutes (May 7, 2007 & May 16, 2007).....	Attorney-Client Privilege.....	" " "
Professional Services..... Valerie Kimson, Esq. Tom Rodriguez Associates	Contract Negotiations.....	" " "
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8, Block 39, Lot 24 & Block 67, Lot 2 (Solberg Aviation - Hromoho).....	Litigation.....	" " "
Combes Landfill.....	Litigation.....	" " "
Lamington Hospitality, LLC.....	Litigation.....	" " "

2. It is anticipated at this time that the stated subject matter will be made public on or about the time set forth in Exhibit “A.”

***EXECUTIVE SESSION RESOLUTION – continued:***

3. This Resolution shall take effect immediately.

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

The meeting reconvened at 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 - Administration Office***

A **MOTION** was made Mrs. Muir by pay Margaret Slutter an \$800 stipend for receipt of her Certified Municipal Registrar Certification. This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

***Personnel – DPW***

A **MOTION** was made by Mrs. Muir to hire James Bolek for the Laborer-1 position to replace Bucky Hayes (retired) at an hourly rate of \$17.55. This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

***Personnel – Libraries***

A **MOTION** was made by Mrs. Muir to hire Anita Zarate as a part-time temporary at the Readington Library at a rate of \$12.53 per hour. This motion was seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

***Personnel – Recreation***

A **MOTION** was made by Mr. Auriemma to hire Steven Strubel to work in the Clean Communities Program from May 1<sup>st</sup> thru August 31<sup>st</sup> at a rate of \$9.25 per hour. This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

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

***Personnel – Buildings, Grounds & Parks***

A **MOTION** was made by Mr. Auriemma to approve the restructuring of the Buildings, Grounds & Parks Department to have it fall under the Department of Public Works. This motion was seconded by Mrs. Allen with a vote of ayes all, nays none recorded

***Contract Negotiations - Block 63, Lot 13 (Accettola)***

A **MOTION** was made by Mrs. Muir to approve the Municipal-County cost share agreement for Block 63, Lot 13 (Accettola), seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

***Contract Negotiations - Music Licensing Agreements***

A **MOTION** was made by Mr. Auriemma to approve the licensing agreements with ASCAP and BMI at a cost of \$284 per year. This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

***Contract Negotiations - AT&T***

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

***Potential Litigation - Zoning Violation***

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

***Litigation - Waste Management v. Readington Township***

A **MOTION** was made by Mrs. Allen to approve the Settlement Agreement and Release from the Municipal Excess Joint Liability Insurance in the Waste Management v. Readington Township litigation, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

***Attorney-Client Privilege - Executive Session Minutes (May 7, 2007 & May 16, 2007)***

A **MOTION** was made by Mrs. Muir to approve the Executive Session Minutes from the meetings of May 7, 2007 & May 16, 2007 for content. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

***Contract Negotiations - Professional Services:***

***Valerie Kimson, Esq.***

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
SPECIAL COUNSEL SERVICES  
#R-2007-71***

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

**WHEREAS**, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

**Valerie Kimson, Esq. – continued:**

**WHEREAS**, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

**WHEREAS**, Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O'Neill has submitted a proposal indicating she will act as Special Counsel at the following rates: Attorney – \$155 per hour; Paralegal - \$75 per hour, for the following matter:

- to represent the Township in the Readington Township v. Waste Management of New Jersey, Inc. litigation

**WHEREAS**, Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O'Neill has completed and submitted a Business Entity Disclosure Certification which certifies that Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O'Neill 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 Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O'Neill 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 Valerie J. Kimson, Esq. 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 upon completion of the case; and

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

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

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

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

The following Resolution was offered for consideration:

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
SPECIAL COUNSEL SERVICES  
#R-2007-72**

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

**WHEREAS**, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

**WHEREAS**, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

**Valerie Kimson, Esq. – continued:**

**WHEREAS**, Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O’Neill has submitted a proposal indicating she will act as Special Counsel at the following rates: Attorney – \$155 per hour; Paralegal - \$75 per hour, for the following matter:

- to represent the Township in the Joanzee, LLC, a New Jersey Limited Liability Company v. Township of Readington, Hunterdon County, New Jersey, and Township of Readington Board of Adjustment, Superior Court of New Jersey, Hunterdon County, Docket No. HNT-L-132-07 litigation

**WHEREAS**, Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O’Neill has completed and submitted a Business Entity Disclosure Certification which certifies that Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O’Neill 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 Valerie J. Kimson, Esq. of Purcell, Ries, Shannon, Mulcahy & O’Neill 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 Valerie J. Kimson, Esq. 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 upon completion of the case; and

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

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

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

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

**Tom Rodriguez Associates**

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON  
RESOLUTION  
R-2007-73**

**WHEREAS**, there exists a need in the Township of Readington for Professional Services; and

**WHEREAS**, the Local Public Contract Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services without competitive bids must be publicly advertised.

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

***Tom Rodriguez Associates – continued:***

1. That the following contract has been awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1) (a)* of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:
  - Tom Rodriguez Associates for GIS Mapping Services at a rate of \$250 per parcel.
2. Said contract shall expire on December 31, 2007.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.

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

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

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

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

***Litigation - Combes Landfill***

Mayor Shamey said there was no discussion on this matter.

***Litigation - Lamington Hospitality, LLC***

Mayor Shamey said there was no discussion on this matter.

***CONSENT AGENDA:***

Attorney Dragan asked that #13 under New Business "***Postponement of Mortgage*** - 420 South Branch Drive/Padovani" be removed from the Consent Agenda and considered in its normal sequence on the agenda.

New Business Item #2 "***Hunting on Township-owned properties***" was removed from the Consent Agenda and discussed at the conclusion of "New Business."

1. ***APPROVAL OF THE MINUTES*** of meeting of May 7, 2007.
2. ***Readington Trail Association*** - request for permission to use Township Land for Fund-Raising Event on June 17, 2007.
3. Request from the American Legion Auxiliary for ***permission to hold annual poppy sale*** (May 22<sup>nd</sup> to May 28<sup>th</sup>).
4. ***Application for Raffles License*** – Friends of Anderson House, Inc. (August 11<sup>th</sup> & 12<sup>th</sup>).
5. ***Application for Social Affairs Permit*** – Whitehouse Rescue Squad (June 3, 2007).
7. ***Lien Redemption*** – resolutions.

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

***WHEREAS***, the property owner has paid to the Tax Collector the amount necessary to redeem the lien on Block 18, Lot 14; 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 \$706.31 known as TSC#532, plus a premium paid in the amount of \$500.00 to the lien holder, CCTS Tax Lien I, LLC.

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

**WHEREAS**, the property owner has paid to the Tax Collector the amount necessary to redeem the lien on Block 4, Lot 91; and

**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 \$276.47 known as TSC#528, to the lien holder, Park Finance, LLC.

**8. Tax Refund – resolution.**

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

**WHEREAS**, the Tax Collector has recommended the following refund:

<u>BLOCK/LOT</u>	<u>REFUND TO</u>	<u>REASON</u>	<u>AMOUNT</u>
<b>2007</b>			
64/8.21	Ferreira, Philip J.	duplicate payment	\$ 2,918.47

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

**9. Payment of the Bills.**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND APPROPRIATION	001	\$ 677,331.43
TRUST APPROPRIATION	003	\$ 17,673.82
CAPITAL APPROPRIATIONS	004	\$ 340,440.99
MISC REFUND, COUNTY TAX, LIENS	005	\$ 1,482.78
PAYROLL DEDUCTIONS	006	\$ 147,516.31
REGIONAL AND LOCAL SCHOOL TAX	007	\$ 2,785,236.00
<b>TOTAL OF ALL FUNDS:</b>		<b>\$ 3,969,681.53</b>

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

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

**CORRESPONDENCE/OTHER INFORMATION:**

1. Memorandum dated May 2, 2007 from Charles M. Kuperus, NJ Secretary of Agriculture, regarding *2007 Farm Bill*.

Mrs. Allen suggested that the Committee adopt a resolution regarding this matter.

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON  
FARM BILL RESOLUTION  
R-2007-78**

**WHEREAS**, legislation introduced by House Members DeLauro and Gilchrest, sometimes referred to as the “Northeast/Mid-Atlantic Marker Bill” or the “Farm, Nutrition and Community Investment Act,” as part of the 2007 Farm Bill, will set national agricultural policy for the next five (5) years and beyond and represent the interests of New Jersey agriculture; and

**WHEREAS**, the provisions of the DeLauro-Gilchrest legislation most appropriately address New Jersey’s concerns on the Farm Bill, including but not limited to: funding for farmland preservation; leeway to distribute Federal Farm and Ranchland Program funds to address local and regional conservation concerns; more equitable distribution of conservation programs and assistance tied to a region’s percentage of agricultural production market value; and

**WHEREAS**, the Township of Readington, Hunterdon County, working together with the State Agriculture Development Committee and the County Agriculture Development Board, can make their desires on these issues known to the New Jersey Congressional Delegation, which can play vital role in ensuring New Jersey's interests are represented in the Farm Bill.

**NOW, THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, meeting this 21<sup>st</sup> day of May, 2007, urges the New Jersey Congressional Delegation to ensure that the tenets of the resolutions passed at the 2007 New Jersey State Agricultural Convention be reflected in the 2007 Farm Bill; and

**BE IT FURTHER RESOLVED**, that the Township Committee of the Township of Readington, urges the Hunterdon County Board of Chosen Freeholders to contact their respective members of the New Jersey Congressional Delegation and encourage them to ensure that the concepts enumerated above are duly reflected in the 2007 Farm Bill; and

**BE IT FURTHER RESOLVED**, that Board members contacting their respective members of Congress should make specific reference to the DeLauro-Gilchrest legislation as best embodying the concepts adopted by the delegates to the State Agricultural Convention and most suited to the agricultural community in New Jersey; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be sent to Senator Leonard Lance, Assemblyman Michael Doherty, Assemblywoman Marcia Karrow, the Hunterdon County Board of Chosen Freeholders, Senator Bob Menendez, Congressman Mike Ferguson and Congressman Rodney P. Frelinghuysen and all surrounding municipalities.

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

2. Memorandum dated May 17, 2007 from the Readington Township Environmental Commission regarding *Chubb response to cigarette disposal*, noted for information. No action taken.
3. Letter from Brad & Dora Fletcher regarding *flooding of Chambers Brook*.

Mrs. Muir said that copies of this letter should be forwarded to the Planning Board and the Environmental Commission, and Scott Jesseman as well.

Mrs. Allen suggested that Engineer McEldowney look into this matter further.

**CORRESPONDENCE/OTHER INFORMATION – continued:**

4. **Resolution from the Township of Union in opposition to A-3857** – which would eliminate Regional Contribution Agreements as a tool to facilitate municipal compliance with Mount Laurel, noted for information. No action taken.
5. Letter dated May 2, 2007 from Lou Cattuna, Section Chief, Land Use Regulation Program, NJDEP, regarding **Letter of Interpretation - Footprint of Disturbance - Spillane, Block 55, Lot 21**, noted for information. No action taken.

**OLD BUSINESS:**

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

Mayor Shamey said the court has extended the discovery period through the end of August and depositions are continuing.

**NEW BUSINESS:**

1. **Amendment to Section 148-5 “Variance/Waiver” of the Land Development Ordinance** - introduction.

Mayor Shamey said this ordinance was on the last agenda for consideration, but the Committee had requested additional information.

Administrator Mekovetz said she had asked Planning Board Attorney Valerie Kimson to provide a summary of the ordinance, but she did not receive anything.

Mrs. Allen said presently you can waive either the sign ordinance or the wireless communications ordinance with a procedure called a “waiver” rather than a “variance.” It is a simpler procedure with a lower standard of proofs. The Planning Board is recommending that the sign requirements and wireless communications requirements be raised to the level of a variance rather than a waiver.

The following Ordinance was offered for introduction:

***AN ORDINANCE SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, IS HEREBY SUPPLEMENTED AND AMENDED***

**Ordinance #17-2007**

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

1. Section 148-5 entitled “Variance/waiver” of Article I entitled “Title and Purpose” is hereby amended to add Article VIII regarding wireless communications and Article XII regarding sign requirements and regulations to the list of those articles where a deviation from the regulations stated therein shall require a zoning variance, as follows (deletions are indicated ~~thus~~; additions are indicated thus):

**§ 148-5. Variance/waiver.**

Variations from the requirements set forth in Articles IV, V, ~~and VI~~, VIII, and XII in their entirety shall require zoning variance approval by the Board. Variations from other sections of this chapter shall require waiver approval by the Board.

2. **Severability.** If any paragraph, section, subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining paragraphs or sections hereof.

***Amendment to Section 148-5 “Variance/Waiver” of the Land Development Ordinance – continued:***

3. **Inconsistency.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.
4. **Effective Date.** This ordinance shall take effect immediately upon final passage and publication thereof according to 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. Auriemma	-	Aye
Mrs. Muir	-	Aye
Mayor Shamey	-	Aye

Public Hearing was scheduled for Monday, June 18, 2007 at 8:00 p.m.

**PUBLIC HEARING:**

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

Clerk read by Title:

***AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN ROADWAYS WITHIN THE RESIDENTIAL DEVELOPMENT KNOWN AS HEDGEROW ESTATES IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY***

**Ordinance # 16-2007**

Mayor Shamey said this ordinance provides for the acceptance of roadways in Hedgerow Estates as Township roadways.

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

Mrs. Muir said that Engineer McEldowney was going to inspect these roads and report back to the Committee.

Attorney Dragan said the issue she had raised was there is a detention basin that is on its own lot and is still in the developer's name. Back in 1996 the Township did not want to take over the detention basin, but because of the stormwater management regulations the Township gets control of the basins. She said the matter could be placed on the next agenda for discussion, however it is not related to the acceptance of the roads.

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

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

Clerk read by Title:

***AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN ROADWAYS WITHIN THE RESIDENTIAL DEVELOPMENT KNOWN AS HEDGEROW ESTATES IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY***

**Ordinance # 16-2007**

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

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

**NEW BUSINESS – continued:**

2. ***Amendment to the Land Development Ordinance adding a new section within Article IV. §148-27.4 entitled “Solberg-Hunterdon Air Safety and Historic Airport District”*** – introduction.

Mayor Shamey said the Township’s Consultant, Thomas Thatcher, along with the Township Planner, have drafted this ordinance for the Committee’s consideration.

In addition, Mr. Thatcher received a letter in response to his inquiry to Commissioner Kris Kolluri of the NJDOT, which Mayor Shamey read into the record:

Dear Mr. Thatcher:

Thank you for your letter regarding the regulatory meaning of the term “routine improvement” as it applies to *N.J.A.C. 16:62 “Air Safety Zoning.”* I appreciate the opportunity to be of assistance.

Please be advised that the New Jersey Department of Transportation (NJDOT) does not provide advisory opinions and, in the absence of a specific proposal, it would be premature to speculate on a regulatory interpretation of the term “routine improvement” as it applies to *N.J.A.C. 16:62.*

Examples of improvements of a routine nature are grading of runway safety areas to meet existing or new FAA design criteria providing the grading improvement conforms to all provisions of *N.J.A.C. 16:62* and replacement or upgrades to electrical wiring for runway or taxiway lighting. Construction of new structures or additions to operational surface would not be considered a routine improvement and are subject to local municipal zoning ordinances.

Any construction or alteration to a licensed aeronautical facility requires the submission of Form DA-3, Application for Alteration to or Deactivation of a Licensed Aeronautical Facility, and in the case of public use facilities, FAA Form 7460 (*N.J.A.C. 16:54*).

Submission of Form DA-3 for proposed alteration(s) to an aeronautical facility is the regulatory method by which NJDOT approves proposed construction projects or improvements on a licensed facility.

I hope that this information is helpful to you and thank you for taking the time to contact me.

Sincerely,

Kris Kolluri, Esq.  
Commissioner, NJDOT

The following Ordinance was offered for introduction:

**AN ORDINANCE SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, AND THE ZONING MAP IS HEREBY SUPPLEMENTED AND AMENDED.**

**Ordinance #18-2007**

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

1. A new Section within Article IV, §148-27.4 entitled “Solberg-Hunterdon Air Safety and Historic Airport District”, is hereby created as an overlay zone within the AR Agricultural Residential Zone and the RR Rural Residential Zone that will provide standards for safety, land use and development controls within and around the existing Solberg-Hunterdon Airport as follows:

**SOLBERG - HUNTERDON AIR SAFETY AND HISTORIC AIRPORT DISTRICT**

**Section 148-27.4. Solberg-Hunterdon Air Safety and Historic Airport District (Overlay District)**

**A. Purpose and General Provisions**

1. Air Safety and Zoning: The “Air Safety and Zoning Act of 1983”, P.L. 1983, chapter 260, and the provisions of N.J.A.C. 16:62, “Air Safety and Zoning” authorizes municipalities to delineate airport safety zones, regulate land uses within the delineated zones, and regulate the height of structures and plantings so as to promote the public safety and to promote compatible land uses and compatible development in and around public use airports. As used in this Ordinance, “airport” or “airports” shall mean and refer to Solberg-Hunterdon Airport, in Readington Township, Hunterdon County, New Jersey.
2. Solberg-Hunterdon Air Safety and Historic Airport District: An overlay district is herein established and airport safety zones are herein established at Solberg-Hunterdon Airport in accordance with the provisions of the “Air Safety and Zoning Act of 1983”, P.L. 1983, chapter 260, and the provisions of N.J.A.C. 16:62, “Air Safety and Zoning”.
3. Airport Defined: This ordinance is based upon, and presumes, an airport layout for Solberg-Hunterdon Airport as described in the March 3, 2005, map prepared H. Clay McEldowney, PE/LS, and identified as drawing number 5761-F. The Solberg-Hunterdon Airport is depicted on this map as “Parcel 4”, with a gross area of 102.23 acres and a net area of 101.55 acres. The Airport has two bidirectional public use runways, runways 4/22 and runways 13/31.
4. Interpretation: The provisions of this ordinance overlay and supplement the other underlying zone standards and procedures of the Code of the Township of Readington. In the event of a conflict between a standard or procedure required pursuant to this ordinance and other underlying zone standards and procedures of the Code of the Township of Readington, the standard or procedure required pursuant to this ordinance shall prevail to the extent as necessary to effectuate the purposes herein.
5. Historic Airport District Purpose: A purpose of the establishment of this ordinance is to recognize and memorialize the State, national and international historic significance of Solberg-Hunterdon Airport, recognize and memorialize that Solberg-Hunterdon Airport is part of the historic and cultural heritage of Readington Township, and to establish standards within the district consistent with these purposes.
6. Airport Safety Zone Purpose: The purpose of the Airport Safety Zones established herein is to set minimum standards for the control of obstructions and provide for safe and compatible adjoining land uses within the zones. No person shall build, rebuild, create or cause to be built, rebuilt or created any object or structure, or plant, or cause to be planted, or permit to grow, any tree or vegetation contrary to the standards and procedures of the “Air Safety and Zoning Act of 1983”, P.L. 1983, chapter 260, The “Municipal Land Use Law”, P.L. 1975 chapter 291, the provisions of N.J.A.C. 16:62, “Air Safety and Zoning”, and the standards of this Ordinance.

7. Existing Non-Conforming Structures and Plantings: Nothing in this ordinance shall be interpreted as requiring the removal or lowering of, or any other change or alteration to any structure or planting not conforming to these regulations at the time of their adoption.
8. Municipal Land Use Law Procedures: The provisions of this Ordinance and the administration of Airport Safety Zone standards and procedures shall be done in conformance with the applicable provisions of N.J.S.A. 40:55D “The Municipal Land Use Law”.

**B. Coordination with other Aviation Regulatory Agencies**

1. State License Required: Airports in the Air Safety and Historic District shall maintain a current valid license from the State of New Jersey pursuant to the provisions of N.J.A.C. 16:54, “Licensing of Aeronautical and Aerospace Facilities”. Failure to maintain a current valid NJ license renders the development rights granted within this ordinance invalid, and the underlying zoning regulations shall apply.
2. Conformance With State Aeronautics Regulations: Airports in the Air Safety and Historic District shall maintain conformance with the substantive and procedural standards of N.J.A.C. 16:54, “Licensing of Aeronautical and Aerospace Facilities”, N.J.A.C. 16:55, “Licensing of Aeronautical Activities”, N.J.A.C. 16:56, “Airport Safety Fund Program”, N.J.A.C. 16:59, “Air Races, Meets, and Exhibitions”, N.J.A.C. 16:59, “Aeronautical Investigation and Enforcement”, and N.J.A.C. 16:62, “Air Safety and Zoning”. Failure to maintain conformance with these regulations renders the development rights granted within this ordinance invalid, and the underlying zoning regulations shall apply.
3. Conformance With Federal Aeronautics Regulations: Airports in the Air Safety and Historic District shall maintain conformance with all lawful orders, directives, and requirements of the Federal Aviation Administration, United States Department of Transportation, United States Transportation Security Agency, and the National Transportation Safety Board. Failure to maintain conformance with these regulations renders the development rights granted within this ordinance invalid, and the underlying zoning regulations shall apply.
4. Site Planning and Internal Layout: The site planning and internal layout of airport land uses, paving, buildings and structures shall conform to such minimum internal setback and vertical height standards as may be prescribed by the applicable regulatory airport licensing and airport certification standards promulgated by the New Jersey Department of Transportation, Division of Aeronautics, and the United States Department of Transportation, Federal Aviation Administration.
5. Airport Hazard Agreements Recognized: In the event that an airport owner or operator has a written agreement with the New Jersey Department of Transportation, Division of Aeronautics, or the United States Department of Transportation, Federal Aviation Administration, for the control of airport hazards or vertical height development, the airport owner or operator shall comply with the most protective provisions of both said agreement and this Ordinance.
6. Informal Development Review Procedures Encouraged: Although not a requirement, applicants for changes of use of airport land, new airport development, or airport redevelopment are encouraged to make full use of informal development review procedures that may be available from State and Federal regulatory entities and the Township. It shall be the policy of the Township to encourage such informal review processes so as to help effectuate timely and cooperative coordination between the airport and State, Federal and local levels of government.
7. Variance Procedure: The developer of a project requiring a variance or the creation or establishment of a prohibited land use or vertical height development within an Airport Safety Zone shall first apply for approval of the creation or establishment of

a prohibited land use or vertical height development from the appropriate Township Board pursuant to the provisions of N.J.S.A. 40:55D, The Municipal Land Use Law”. If the appropriate Township Board approves the creation or establishment of a prohibited land use or vertical height development within the Airport Safety Zone such approval shall be conditioned on the developer applying for and receiving a permit from the New Jersey Department of Transportation pursuant to the provisions of N.J.A.C 16:62, “Air Safety and Zoning”. Construction, development or creation of any prohibited land use shall not commence until a permit has been issued by the New Jersey Department of Transportation.

**C. Delineation of the Airport Safety and Historic Airport District**

1. Airport Safety Zone Delineation: The Airport Safety Zone is delineated by the establishment of of subzones of standard sizes around and off of the ends of public use airport runways. The three types of subzones comprising an Airport Safety Zone are the Runway Subzone, the Runway End Subzones, and the Clear Zones located within the Runway End Subzone. The overall Airport Safety Zone for an airport is geometrically constructed by defining and locating the Runway Subzone and the Runway End Subzones for each public use runway. The outermost boundaries of the overlapping subzones comprise the outermost boundary of the Airport Safety Zone. The area within the outermost boundaries is the area regulated by the provisions of this Ordinance. The Airport Safety Zone description in this paragraph shall be interpreted in conformance with the controlling regulations for Airport Safety Zone delineation found in N.J.A.C. 16:62, “Air Safety and Zoning”.

a. Runway Subzone Delineation: The Runway Subzone of an Airport Safety Zone shall consist of a rectangle having a uniform width of two thousand three hundred fifty (2,350) feet centered longitudinally upon the runway centerline. The length of each Runway Subzone shall be determined by the following methodology. Each Runway Subzone shall have two two ends, the location of such ends being determined by a line drawn perpendicular to the runway centerline at a point two hundred (200) feet inside of the airport property line from the point where the extended runway centerline intersects with the airport property line. The Runway Subzone description in this paragraph shall be interpreted in conformance with the controlling regulations for Runway Subzone delineation found in N.J.A.C. 16:62, “Air Safety and Zoning”. (see Exhibit 1, Airport Safety Zone: Runway Subzone Plan in Appendix)

b. Runway End Subzone Delineation: The Runway End Subzone of an Airport Safety Area shall consist of trapezoids located at either end of the Runway Subzone along the runway's flight approach and departure path. Each Runway End Subzone shall extend three thousand (3,000) feet from the end of the Runway Subzone, as measured along the extended centerline of the runway. The base of the Runway End Subzone shall be defined by the end of the Runway Subzone, and shall have a width of two thousand three hundred fifty (2,350) feet. The width of the Runway End Subzone shall progressively decrease as the distance from the end of the Runway End Subzone increases. Its final width at its final length of three thousand (3,000) feet shall be eight hundred fifty (850) feet. The Runway End Subzone description in this paragraph shall be interpreted in conformance with the controlling regulations for Runway End Subzone delineation found in N.J.A.C. 16:62, “Air Safety and Zoning”. (see Exhibit 3, Airport Safety Zone: Runway End Subzone(s) Plan in Appendix)

**Ordinance #18-2007 – continued:**

c. Clear Zone Delineation: The Clear Zone of an Airport Safety Zone shall consist of trapezoids located within the Runway End Subzones along the runway's flight approach and departure path. Each clear Zone shall extend one thousand (1,000) feet from the end of the Runway Subzone, as measured along the extended centerline of the runway. The base of the Clear Zone shall be co-located with the end of the Runway Subzone, and shall have a width of two hundred fifty (250) feet. The width of the Clear Zone shall progressively increase as the distance from the end of the Runway Subzone increases. Its final width at

its final length of one thousand (1,000) feet shall be four hundred fifty (450) feet. The Clear Zone description in this paragraph shall be interpreted in conformance with the controlling regulations for Clear Zone delineation found in N.J.A.C. 16:62, "Air Safety and Zoning". (see Exhibit 5, Airport Safety Zone: Clear Zone Plan in Appendix)

- d. Delineation of Air Safety and Historic Airport District: The Air Safety and Historic Airport District shall consist of all lands which are within any delineated Runway Subzone and any Runway End Subzone established by this Ordinance. The Air Safety and Historic District is geometrically constructed by defining and locating the Runway Subzone and the Runway End Subzones for each public use runway. The outermost boundaries of these overlapping subzones comprise the outermost boundary of the Air Safety and Historic District. The area within the outermost boundaries is the area regulated by the provisions of this Ordinance. (see Exhibit 6, Zoning Map and Exhibit 7, Airport Districts in Appendix)
  
2. Historic Airport Sub-Area: The Historic Airport sub-area lies within the overall Air Safety and Historic Airport District. The boundaries of this sub-area encompass the existing Solberg-Hunterdon Airport facilities and are coterminous with "Parcel 4", as identified on the plan entitled "Map for Chambers Brook and Holland Brook Greenway", dated March 3, 2005, prepared H. Clay McEldowney, PE/LS, and identified as drawing number 5761-F. This area is created to provide for maintenance, development and redevelopment of airport facilities related to the existing Solberg-Hunterdon Airport use. (see Exhibit 6, Zoning Map and Exhibit 7, Airport Districts in Appendix)

**D. Vertical Development Restrictions Within the Air Safety and Historic Airport District.**

1. Vertical Development Regulated: The maximum height of any structure or planting within the Air Safety and Historic District shall not exceed the vertical development standards established herein. All elevations shall be in relation to the horizontal plane established by runway end centerline elevations and not the natural grade of the land. For example, if a point in the Airport Safety Zone permits at a specific point development of up to "x" feet, that means "x" feet above the runway horizontal plane, not "x" feet above the natural grade of the land at that point in the Airport Safety Zone.
  
2. Runway Subzone Vertical Standards: The vertical standards within the Runway Subzones are determined by first establishing the elevations at the runway centerlines at the ends of the Runway Subzone of the Airport Safety Zone. From these elevations at the Runway Subzone ends, a line is run ninety degrees outward from each side of the runway centerline for a distance of one hundred twenty five (125) feet. Within the area defined by these four points, no development is allowed above the natural grade of the soil except for runway and flight safety equipment. The vertical standards within the remainder of the Runway Subzone of the Airport Safety Zone are determined by establishing planes from the edges of the longitudinal zero foot development restriction line established in the prior paragraph which slope upward at a rate of seven (7) feet horizontally to one foot vertically. This upward plane ceases when it reaches the outer longitudinal borders of the Runway Subzone of any Airport Safety Zone at the elevation of one hundred fifty feet above its starting point at the longitudinal zero foot development line. (see Exhibit 2, Airport Safety Zone: Vertical and Horizontal Planes of Runway Subzone in Appendix)

**Ordinance #18-2007 – continued:**

3. Runway End Subzone Vertical Standards: The vertical standards within Runway End Subzones of an Airport Safety Zone are determined by first establishing a plane with a rising slope of one foot upward to twenty (20) feet outward to the end of the Runway Subzone to the outermost end of the Runway End Subzone. This plane is bisected by the extended runway centerline and is two hundred fifty (250) feet in total width at its innermost dimension and widens uniformly along its three thousand (3,000) foot length so as to have a total width of eight hundred fifty (850) feet at its outermost dimension where it intersects with the outermost portion of the

Runway End Subzone at the elevation of one hundred fifty (150) feet above its starting point at the zero foot dimension line. The vertical standards within the remainder of the Runway End Subzone of an Airport Safety Zone are determined by establishing sloping planes from the outermost longitudinal edges of the plane established in the prior paragraph. These planes rise upward at a rate of one foot upward to seven (7) feet outward from the plane established in the prior paragraph above to where they meet the outermost longitudinal boundaries of the Runway End Subzones at the elevation of one hundred fifty (150) feet. (see Exhibit 4, Airport Safety Zone: Vertical and Horizontal Planes of Runway End Subzone in Appendix)

4. Clear Zone Standards: The vertical standards within runway Clear Zones are in addition to and more restrictive than the vertical standards for Runway End Subzones. Runway Clear Zones shall be maintained to such regulatory standards as may be prescribed by the New Jersey Department of Transportation, Division of Aeronautics, in N.J.A.C. 16:62, "Air Safety and Zoning". The methodologies used to establish the vertical development restrictions within Runway Subzones, Runway End Subzones, and Clear Zones shall be interpreted in conformance with the controlling regulations for vertical development restrictions found in N.J.A.C. 16:62, "Air Safety and Zoning".

#### **E. Permitted Principal Uses Within the Historic Airport Sub-Area**

The following principal uses are permitted within the Historic Airport Sub-Area (as defined herein within section C.2.):

1. Airport, provided that said airport is a licensed public use airport and has met the State and Federal regulatory requirements delineated in section B of this ordinance;
2. Conservation
3. Agriculture
4. Passive recreation.

#### **F. Permitted Accessory Uses Within the Historic Airport Sub-Area**

The following accessory uses are permitted within the Historic Airport Sub-Area (as defined herein within section C.2.) in addition to the airport use:

5. Aircraft rental, charter, sales, leasing, storage and tiedown;
6. Sale of aircraft fuels, fluids, lubricants, parts, supplies and equipment;
7. Aircraft and aircraft component repair and maintenance;
8. Pilot flight schools and training;
9. Aircraft mechanic schools and training;
10. Equipment and appurtenances for aircraft communication, navigation and orientation;
11. Food and beverage vending machines, provided that any internally illuminated panels are not visible from a public right-of-way, public open space, residential use or residential property line;

#### **Ordinance #18-2007 – continued:**

12. Restaurant, not exceeding forty (40) seats;
13. Rental car, not exceeding five (5) on site rental vehicles;
14. Gift shop;
15. Sale of supplies and equipment for pilots and aircrew members, provided that there is no outdoor display of merchandise;

16. Airport museum;
17. Office, terminal, waiting room, weather briefing, and conference room facilities; and,
18. Conservation
19. Agriculture
20. Passive recreation.

#### **G. Permitted Uses Outside of the Historic Airport Sub-Area**

Those lands that are within the Air Safety and Historic Airport District, but do not lie within the Historic Airport Sub-Area, shall be subject to the underlying zoning district standards, but shall adhere to all development controls established by this ordinance relative to land use and bulk.

#### **H. Prohibited Land Uses:**

The following uses are prohibited within the Air Safety and Historic Airport District:

1. Residential dwelling units not situated on a lot of at least three (3) acres in size;
2. Residential dwelling units in a Clear Zone;
3. Planned unit developments and multifamily dwellings;
4. Hospitals;
5. Schools (not including pilot and aircraft mechanic schools);
6. Above ground bulk tank storage of compressed flammable or compressed toxic gases or liquids;
7. Above ground bulk tank storage of flammable or toxic gases or liquids in Runway End Subzones;
8. Uses that may attract massing birds; and,
9. Above grade major utility transmission lines and mains;
10. Use of aircraft hangars for non-aviation purposes. For example, the use of aircraft hangars for non-aviation purposes such as the storage or sheltering of automobiles, boats, or household or business goods is prohibited;
11. All uses not specifically permitted.

#### **I. Regulations for Airports**

Airports shall be required to meet the following regulations for airports.

- A. Conformance with State and Federal Requirements: Airports shall maintain conformance with all applicable rules, regulations and lawful orders, directives and requirements of the State of New Jersey and the United States Federal Government.

#### **Ordinance #18-2007 – continued:**

- B. Ordinance Conformance: Airports shall maintain conformance with the substantive and procedural standards of the Air Safety and Historic District Ordinance and the Code of Readington Township and any deed restrictions which may apply to the airport property.
- C. Landscaping and Maintenance: Areas of the Historic Airport Sub-Area not utilized by structures or paved surfaces shall be planted and maintained so as to promote a desirable visual environment and to promote good drainage and soil erosion management practices.

- D. Setbacks: The minimum setback for airport buildings, structures, paving and aircraft parking shall be twenty five (25) feet from the boundaries of the Historic Airport Sub Area; the minimum setback for airport buildings, structures, paving and aircraft parking from public rights-of-way shall be fifty (50) feet; the minimum setback from the longitudinal centerline of any runway from the boundaries of the Historic Airport Sub Area shall be one hundred twenty five (125) feet.
- E. Floor Area: The maximum permitted cumulative floor area for aircraft hangars and aircraft maintenance shall not exceed 150,000 square feet. The maximum permitted cumulative floor area for other permitted and accessory airport uses shall not exceed 35,000 square feet.
- F. Airport Museum Incentive: The first 1,000 square feet of “airport museum” building usage at an airport shall not be counted against the maximum permitted floor area of 35,000 square feet for “other permitted and accessory uses”.
- G. Historic Design Incentive: If the Planning Board or Zoning Board of Adjustment determines that a proposed new airport development or redevelopment application incorporates significant design, aesthetic, and architectural features that promote and recognize the historic heritage of the airport, 10% of the floor area of such development or redevelopment shall not be counted against the maximum permitted floor area of 150,000 square feet or 35,000 square feet specified herein.
- H. Aircraft Hangar Incentive: The Township finds that fully enclosed lockable aircraft hangars designed and used to accommodate a single aircraft offer superior aircraft security, aircraft protection, and minimize aircraft related “attractive nuisance” problems. Proposals for the development of new fully enclosed lockable aircraft hangars designed and used to accommodate a single aircraft, shall be permitted to exclude 10% of the floor area of such development from the tabulation of the maximum permitted floor area of 150,000 square feet specified herein.
- I. Automobile Parking: The airport shall have available a sufficient amount of on-airport automobile parking to accommodate airport business demands:
- a. Airport: 1 space/every 3 outdoor tiedowns; plus 1 space for every 2,000 sf of hanger space; plus 1 space for each employee on the greatest shift
  - b. Restaurant: 1 space / 3 seats
  - c. Retail: 1 space / 300 sf
  - d. Flight School: 1 space/ 1,000 sf
  - e. Museum: 1 space / 500 sf
- A. Vehicle and Pedestrian Supervision: The airport shall provide for such on-airport fencing, signage, and supervision of vehicles and pedestrians so as to provide for the general public safety.
2. The Zoning Map is hereby amended to depict the “Solberg-Hunterdon Air Safety and Historic Airport District”, as an overlay zone, and to depict the Historic Airport sub-area within the overall zone as described herein. (see Exhibit 6, Zoning Map and Exhibit 7, Airport Districts)
3. Severability. If any paragraph, section, subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining paragraphs or sections hereof.

**Ordinance #18-2007 – continued:**

4. Inconsistency. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.
5. Effective Date. This ordinance shall take effect immediately upon final passage and publication thereof according to law.

**SOLBERG-HUNTERDON AIR SAFETY AND HISTORIC AIRPORT DISTRICT**

**Ordinance #18-2007 – continued:**

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

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

Public Hearing was scheduled for Wednesday, June 6, 2007 at 8:00 p.m.

3. ***Amendment to LOSAP Ordinance*** – introduction.

The following Ordinance was offered for introduction.

***AN ORDINANCE AMENDING ARTICLE III, SECTION 21-13 ET SEQ. OF  
THE CODE OF THE TOWNSHIP OF READINGTON, PERTAINING TO  
THE LENGTH OF SERVICE AWARDS PROGRAM ORDINANCE ADOPTED  
ON AUGUST 5, 2002 BY ORDINANCE #31-2002***

**Ordinance #19-2007**

**BE IT ORDAINED**, by the Mayor and Township Committee of the Township of Readington in the County of Hunterdon, State of New Jersey that Article III, Section 21-10 *et seq.* of the Code of the Township of Readington, pertaining to the Length of Service Awards program is amended as follows is amended as follows [additions are indicated **thus**, deletions are indicated **~~thus~~**]:

**SECTION 1.**

**§21.13. “Estimated cost” shall be amended to read as follows:**

The estimated cost of the program has been calculated as follows:

- A. For regular annual services: ~~\$40,000.00~~ **\$60,000.00 in 2007 and \$80,000.00 in 2008** per year.
- B. The annual contribution to be made by the Township shall be ~~\$380.00~~ **\$600.00 in 2007 and \$800.00 in 2008** and shall be given to each individual who has earned a minimum of 50 points as provided for in Section 21.14 below with an automatic annual Cost of Living increase based on the CPI (Consumer Price Index).

**SECTION 2. EFFECTIVE DATE**

This Ordinance shall take effect immediately upon final adoption and publication in the manner provided by law and upon filing with the Director of the Division of Local Government Services.

**SECTION 3. REPEALER**

All other provisions of the Ordinance and parts of the Ordinance which are inconsistent herewith are repealed and superseded by this amendment. All other provisions of the Ordinance which this amendment does not revise shall remain in full force and effect.

**SECTION 4. SEVERABILITY**

If any provision or portion of a provision of this amendment is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by a court of competent jurisdiction, then the remaining portions of this amendment shall not be invalidated.

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

***Amendment to LOSAP Ordinance – continued:***

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

Public Hearing was scheduled for Monday, June 18, 2007 at 8:00 p.m.

Attorney Dragan said the next five (5) items are ordinances that are required to be adopted in conjunction with the State Stormwater Management regulations.

4. ***Ordinance establishing disposal requirements for pet waste*** – introduction.

The following Ordinance was offered for introduction.

***AN ORDINANCE ESTABLISHING DISPOSAL REQUIREMENTS FOR  
PET WASTE WITHIN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON,  
STATE OF NEW JERSEY***

**Ordinance #20-2007**

**SECTION I. PURPOSE** The purpose of this ordinance is to establish requirements for the proper disposal of pet solid waste in the Township of Readington, so as to protect the public health, safety and welfare of the citizens of the Township of Readington, and to protect against water pollution and environmental degradation in accordance with the Township's Stormwater Management Plan and the New Jersey State Stormwater Rules promulgated by the Department of Environmental Protection, pursuant to the New Jersey Water Pollution Control Act (*N.J.S.A. 58:10a-1 et seq.*), and to prescribe penalties for failure to comply.

**SECTION II. DEFINITIONS.** For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein, unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- |    |                 |                                                                                                                                                                                                                                                                                             |
|----|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. | Immediate       | shall mean that the pet solid waste is to be removed at once, without delay.                                                                                                                                                                                                                |
| b. | Owner/Keeper    | any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not he/she/it is the owner of such pet.                                                                                                                                    |
| c. | Person          | any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.                                                                                                                                             |
| d. | Pet             | a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.                                                                                                                                                                                      |
| e. | Pet Solid Waste | waste matter expelled from the bowels of the pet; excrement.                                                                                                                                                                                                                                |
| f. | Proper Disposal | placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal. |

**SECTION III. REQUIREMENT FOR DISPOSAL**

All pet owners and keepers are required to immediately and properly disposal of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

**SECTION IV. EXEMPTIONS**

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this Ordinance while such animal is being used for that purpose.

***Ordinance establishing disposal requirements for pet waste – continued:***

**SECTION V. ENFORCEMENT**

This Ordinance shall be enforced by the Police Department, Municipal Board of Health or other public officer as may be appointed or directed by the Township Committee of the Township of Readington.

**SECTION VI. VIOLATIONS AND PENALTY.**

Any person who violates the provisions of this Ordinance shall, upon conviction, be subject to a fine not exceeding \$500. Each day a violation continues after the time required for the abatement thereof shall constitute a separate offense.

**SECTION VII. REPEALER.**

This Ordinance supersedes and repeals any ordinances, sections, or portions of any other Township ordinances inconsistent herewith.

**SECTION VIII. SEVERABILITY.**

Each section, subsection, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**SECTION IX. EFFECTIVE DATE.**

This Ordinance shall be effective immediately upon adoption and final publication according to law. A copy of same shall be kept on file with both the Municipal Clerk and with the Board of Health Secretary.

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

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

Public Hearing was scheduled for Monday, June 18, 2007 at 8:00 p.m.

5. *Ordinance establishing requirements for the proper handling of yard waste – introduction.*

The following Ordinance was offered for introduction.

***AN ORDINANCE ESTABLISHING REQUIREMENTS FOR THE PROPER HANDLING OF YARD WASTE WITHIN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY***

**Ordinance #21-2007**

**SECTION I. PURPOSE** The purpose of this ordinance is to establish requirements for the proper handling of yard waste in the Township of Readington, so as to protect the public health, safety and welfare of the citizens of the Township of Readington, and to protect against water pollution and environmental degradation in accordance with the Township's Stormwater Management Plan and the New Jersey State Stormwater Rules promulgated by the Department of Environmental Protection, pursuant to the New Jersey Water Pollution Control Act (*N.J.S.A. 58:10a-1 et seq*), and to prescribe penalties for failure to comply.

**SECTION II. DEFINITIONS.** For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein, unless their use in the

***Ordinance establishing requirements for the proper handling of yard waste – continued:***

text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Containerized means the placement of yard waste in a trash can, bucket, bag or other vessel, so as to prevent the yard waste from

- spilling or blowing out into the street and coming into contact with stormwater.
- b. Person means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street means any street, avenue, boulevard, road, parkway, viaduct, drive or other way, which is an existing State, county or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas with the street lines.
- d. Yard Waste means leaves, weeds and grass clippings.

### **SECTION III. PROHIBITED CONDUCT.**

The Owner or occupant of any property, or any employee or contractor or such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste in the street. Such waste must either be composted on-site, or containerized and removed from the property by alternate means, but not via regular trash pick-up. If such waste is placed in the street, the party responsible must remove the yard waste from the street, or said party shall be deemed in violation of this Ordinance.

### **SECTION IV. ENFORCEMENT**

This Ordinance shall be enforced by the Zoning Official or other public officer as may be appointed or directed by the Township Committee of the Township of Readington.

### **SECTION V. VIOLATIONS AND PENALTY.**

Any person who violates the provisions of this Ordinance shall, upon conviction, be subject to a fine not exceeding \$500. Each day a violation continues after the time required for the abatement thereof shall constitute a separate offense.

### **SECTION VI. REPEALER.**

This Ordinance supersedes and repeals any ordinances, sections, or portions of any other Township ordinances inconsistent herewith.

### **SECTION VII. SEVERABILITY.**

Each section, subsection, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

### **SECTION VIII. EFFECTIVE DATE.**

This Ordinance shall be effective immediately upon adoption and final publication according to law.

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

#### ***Ordinance establishing requirements for the proper handling of yard waste – continued:***

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

Public Hearing was scheduled for Monday, June 18, 2007 at 8:00 p.m.

6. **Ordinance prohibiting illicit connections to the Municipal Separate Storm Systems – introduction.**

The following Ordinance was offered for introduction:

**AN ORDINANCE PROHIBITING ILLICIT CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SYSTEMS WITHIN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY**

**Ordinance #22-2007**

**SECTION I. PURPOSE** The purpose of this ordinance is to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Readington, so as to protect the public health, safety and welfare of the citizens of the Township of Readington, and to protect against water pollution and environmental degradation in accordance with the Township's Stormwater Management Plan and the New Jersey State Stormwater Rules promulgated by the Department of Environmental Protection, pursuant to the New Jersey Water Pollution Control Act (*N.J.S.A. 58:10a-1 et seq*), and to prescribe penalties for failure to comply.

**SECTION II. DEFINITIONS.** For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein, unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at *N.J.A.C. 7:14A-1.2*.

**a. DOMESTIC SEWAGE**

Means waste and wastewater from humans or household operations.

**b. ILLICIT CONNECTION**

Means any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Township of Readington, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows or overflows into the municipal separate storm sewer system.

**c. INDUSTRIAL WASTE**

Means non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act [(33 U.S.C. Sec. 1317(a), (b) or (c))].

**d. MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

Means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains) that is owned or operated by the Township of Readington, or other public body, and is designed and used for collecting and conveying stormwater.

**Ordinance prohibiting illicit connections to the Municipal Separate Storm Systems – continued:**

**e. NJPDES PERMIT**

Means a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at *N.J.A.C. 7:14a*.

**f. NON-CONTACT COOLING WATER**

Means water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

**g. PERSON**

Means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**h. PROCESS WASTEWATER**

Means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

**i. STORMWATER**

Means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage drainage facilities or is conveyed by snow removal equipment.

**SECTION III. PROHIBITED CONDUCT.**

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Readington any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

**SECTION IV. ENFORCEMENT**

This Ordinance shall be enforced by the Construction Code Official, Zoning Official or other public officer as may be appointed or directed by the Township Committee of the Township of Readington.

**SECTION V. VIOLATIONS AND PENALTY.**

Any person who violates the provisions of this Ordinance shall, upon conviction, be subject to a fine not exceeding \$500. Each day a violation continues after the time required for the abatement thereof shall constitute a separate offense.

**SECTION VI. REPEALER.**

This Ordinance supersedes and repeals any ordinances, sections, or portions of any other Township ordinances inconsistent herewith.

**SECTION VII. SEVERABILITY.**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

***Ordinance prohibiting illicit connections to the Municipal Separate Storm Systems – continued:***

**SECTION VIII. EFFECTIVE DATE.**

This Ordinance shall be effective immediately upon adoption and final publication according to law.

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

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

Public Hearing was scheduled for Monday, June 18, 2007 at 8:00 p.m.

***Ordinance Prohibiting Improper Disposal of Waste***

The following Ordinance was offered for introduction:

***AN ORDINANCE PROHIBITING IMPROPER DISPOSAL OF WASTE WITHIN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY***

**Ordinance #23-2007**

**SECTION I. PURPOSE** The purpose of this ordinance is to prohibit the spilling, dumping or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Readington, so as to protect the public health, safety and welfare of the citizens of the Township of Readington, and to protect against water pollution and environmental degradation in accordance with the Township's Stormwater Management Plan and the New Jersey State Stormwater Rules promulgated by the Department of Environmental Protection, pursuant to the New Jersey Water Pollution Control Act (*N.J.S.A. 58:10a-1 et seq*), and to prescribe penalties for failure to comply.

**SECTION II. DEFINITIONS.** For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein, unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at *N.J.A.C. 7:14A-1.2*.

**a. MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

Means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains) that is owned or operated by the Township of Readington, or other public body, and is designed and used for collecting and conveying stormwater.

**b. PERSON**

Means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**c. STORMWATER**

Means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage drainage facilities or is conveyed by snow removal equipment.

***Ordinance Prohibiting Improper Disposal of Waste – continued:***

**SECTION III. PROHIBITED CONDUCT**

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Readington is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

**SECTION IV. EXCEPTIONS TO PROHIBITION**

- a. Water line flushing and discharges to potable water sources.
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground water).
- c. Air conditioning condensate (excluding contact and non-contact cooling water).
- d. Irrigation water (including landscape and lawn watering runoff).
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
- f. Residential car washing water, and residential swimming pool discharges.
- g. Sidewalk, driveway and street wash water.
- h. Flows from fire fighting activities.
- i. Flows from rinsing of the following equipment with clean water:

Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g. shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

Rinsing of equipment, as noted in the situation above, is limited to exterior, undercarriage and exposed parts; it does not apply to engines or other enclosed machinery.

**SECTION V. ENFORCEMENT**

This Ordinance shall be enforced by the Police Department, Construction Code Official, Zoning Official or other public officer as may be appointed or directed by the Township Committee of the Township of Readington.

**SECTION VI. VIOLATIONS AND PENALTY**

Any person who violates the provisions of this Ordinance shall, upon conviction, be subject to a fine not exceeding \$500. Each day a violation continues after the time required for the abatement thereof shall constitute a separate offense.

**SECTION VII. REPEALER**

This Ordinance supersedes and repeals any ordinances, sections, or portions of any other Township ordinances inconsistent herewith.

**SECTION VIII. SEVERABILITY**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

***Ordinance Prohibiting Improper Disposal of Waste – continued:***

**SECTION IV. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon adoption and final publication according to law.

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

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

Public Hearing was scheduled for Monday, June 18, 2007 at 8:00 p.m.

***Ordinance Prohibiting the Feeding of Unconfined Wildlife Within Public Parks***

The following Ordinance was offered for introduction:

***AN ORDINANCE PROHIBITING THE FEEDING OF UNCONFINED WILDLIFE  
WITHIN PUBLIC PARKS IN THE TOWNSHIP OF READINGTON, COUNTY OF  
HUNTERDON, STATE OF NEW JERSEY***

**Ordinance #24-2007**

**SECTION I. PURPOSE** The purpose of this ordinance is prohibit the feeding of unconfined wildlife in any public park or on any other property owned by the Township of Readington, so as to protect the public health, safety and welfare of the citizens of the Township of Readington, and to protect against water pollution and environmental degradation in accordance with the Township's Stormwater Management Plan and the New Jersey State Stormwater Rules promulgated by the Department of Environmental Protection, pursuant to the New Jersey Water Pollution Control Act (*N.J.S.A. 58:10a-1 et seq*), and to prescribe penalties for failure to comply.

**SECTION II. DEFINITIONS.** For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein, unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Feed Means to give, place, expose, deposit, distribute or scatter any edible material with the intention of feed, attracting or enticing wildlife. "Feed" does not include baiting in the legal taking of fish and/or game.
- b. Person Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife All animals that are neither human nor domesticated.

**SECTION III. PROHIBITED CONDUCT.**

No person shall feed, in any public park or on any other property owned or operated by the Township of Readington, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

**SECTION IV. ENFORCEMENT**

This Ordinance shall be enforced by the Police Department or other public officer as may be appointed or directed by the Township Committee of the Township of Readington.

***Ordinance Prohibiting the Feeding of Unconfined Wildlife Within Public Parks – continued:***

**SECTION V. VIOLATIONS AND PENALTY.**

Any person who violates the provisions of this Ordinance shall, upon conviction, be subject to a fine not exceeding \$500. Each day a violation continues after the time required for the abatement thereof shall constitute a separate offense.

**SECTION VI. REPEALER.**

This Ordinance supersedes and repeals any ordinances, sections, or portions of any other Township ordinances inconsistent herewith.

**SECTION VII. SEVERABILITY.**

Each section, subsection, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**SECTION VIII. EFFECTIVE DATE.**

This Ordinance shall be effective immediately upon adoption and final publication according to law. A copy of same shall be kept on file with both the Municipal Clerk and the Board of Health Secretary.

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

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

Public Hearing was scheduled for Monday, June 18, 2007 at 8:00 p.m.

7. ***2008 Funding Round Farmland Preservation Program*** – resolutions:

- Block 64, Lot 29 (Chesla Farm)
- Block 65, Lots 12 & 12.01 (Little Farm)
- Block 53, Lot 5 (Holland Brook Farm)

The following Resolutions were offered for consideration:

***TOWNSHIP OF READINGTON  
RESOLUTION***

***COST SHARING FOR APPLICATIONS IN THE 2008 FUNDING ROUND  
OF THE FARMLAND PRESERVATION PROGRAM  
R-2007-74***

***WHEREAS***, the Hunterdon County Agricultural Development Board (CADB) has received applications for the 2008 Funding Round for the Farmland Preservation Program from Township landowners; and

***WHEREAS***, the CADB has completed its final review of the applications to the Farmland Preservation Program; and

***WHEREAS***, Block 64, Lot 29 in Readington Township has been approved by the County Freeholders to be part of the Farmland Preservation Program; and

***WHEREAS***, the CADB requires a resolution of Township approval and a commitment of cost-share funding for the following application:

***2008 Funding Round Farmland Preservation Program resolutions – continued:***

Block 64, Lot 29 (Chesla Farm - 42 +/- acres)

***NOW THEREFORE BE IT RESOLVED*** that the Township Committee of the Township of Readington is willing to cost-share on the application for Block 64, Lot 29 (Chesla Farm - 42 +/- acres) for the 2008 Funding Round for the Farmland Preservation Program; and

***BE IT FURTHER RESOLVED***, that the Municipal Clerk is directed to forward certified

copies of this Resolution to the County Agricultural Development Board as requested and required.

**TOWNSHIP OF READINGTON  
RESOLUTION**

***COST SHARING FOR APPLICATIONS IN THE 2008 FUNDING ROUND  
OF THE FARMLAND PRESERVATION PROGRAM  
R-2007-75***

**WHEREAS**, the Hunterdon County Agricultural Development Board (CADB) has received applications for the 2008 Funding Round for the Farmland Preservation Program from Township landowners; and

**WHEREAS**, the CADB has completed its final review of the applications to the Farmland Preservation Program; and

**WHEREAS**, Block 65, Lots 12 & 12.01 in Readington Township has been approved by the County Freeholders to be part of the Farmland Preservation Program; and

**WHEREAS**, the CADB requires a resolution of Township approval and a commitment of cost-share funding for the following application:

Block 65, Lots 12 & 12.01 (Little Farm - 32 +/- acres)

**NOW THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Readington is willing to cost-share on the application for Block 65, Lots 12 & 12.01 (Little Farm - 32 +/- acres) for the 2008 Funding Round for the Farmland Preservation Program; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is directed to forward certified copies of this Resolution to the County Agricultural Development Board as requested and required.

**TOWNSHIP OF READINGTON  
RESOLUTION**

***COST SHARING FOR APPLICATIONS IN THE 2008 FUNDING ROUND  
OF THE FARMLAND PRESERVATION PROGRAM  
R-2007-76***

**WHEREAS**, the Hunterdon County Agricultural Development Board (CADB) has received applications for the 2008 Funding Round for the Farmland Preservation Program from Township landowners; and

**WHEREAS**, the CADB has completed its final review of the applications to the Farmland Preservation Program; and

**WHEREAS**, Block 53, Lot 5 in Readington Township has been approved by the County Freeholders to be part of the Farmland Preservation Program; and

**WHEREAS**, the CADB requires a resolution of Township approval and a commitment of cost-share funding for the following application:

Block 53, Lot 5 (Holland Brook Farm - 24 +/- acres)

***2008 Funding Round Farmland Preservation Program resolutions – continued:***

**NOW THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Readington is willing to cost-share on the application for Block 53, Lot 5 (Holland Brook Farm - 24 +/- acres) for the 2008 Funding Round for the Farmland Preservation Program, contingent on funding being made available for this application; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is directed to forward certified copies of this Resolution to the County Agricultural Development Board as requested and

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

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

8. *Designation of Readington Township Office of Emergency Management as an “Eligible Organization” for conducting fire service certified training* – resolution.

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON  
RESOLUTION  
R-2007-77**

*WHEREAS*, the State of New Jersey has created a voluntary program to certify firefighters; and

*WHEREAS*, Readington Township has reviewed, discussed and voted to participate in the program.

*NOW, THEREFORE, BE IT RESOLVED*, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, hereby appoints Joel Kerwin, Emergency Management Coordinator, as the authorized Signator to sign any documents necessary to implement the Firefighter Certification Program in Readington Township; and

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

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

9. *South Branch Watershed Association – request that the Township commit \$300 to the SBWA for their Spring Waterway Clean-up.*

*A MOTION* was made by Mrs. Allen to commit \$300 to the SBWA for their Spring Waterway Clean-up, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

10. *Three Bridges Fire Company* – request for permission to hold a 5 Mile Road Race on August 25, 2007.

*A MOTION* was made by Mr. Auriemma to approve the request from Three Bridges Fire Company to hold a 5 Mile Road Race on August 25, 2007, contingent on review and approval by the Police Department. This motion was seconded by seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

***NEW BUSINESS – continued:***

11. *Hunting on Township-owned properties* – locations.

This item was removed from the consent agenda and addressed later in the meeting.

12. *Readington Trail Association* - request for permission to use Township Land for Fund-Raising Event on June 17, 2007.

This item was addressed under the Consent Agenda.

13. ***Postponement of Mortgage*** – 420 South Branch Drive/Padovani.

Attorney Dragan said the property owner is refinancing their mortgage, however the title search did not show that there is mortgage of record. Either there is was mistake or the mortgage was not recorded. The owner has agreed to sign a mortgage, if necessary. The Committee can approve the postponement, conditioned on it being required. Otherwise, a new mortgage will be signed.

***A MOTION*** was made by Mrs. Muir to approve the Postponement of Mortgage for 420 South Branch Drive/Padovani, conditioned on it being required. Otherwise, a new mortgage will be signed. This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

14. Request from the American Legion Auxiliary for ***permission to hold annual poppy sale*** (May 22<sup>nd</sup> to May 28<sup>th</sup>).

This item was addressed under the Consent Agenda.

15. ***Application for Raffles License*** – Friends of Anderson House, Inc. (August 11<sup>th</sup> & 12<sup>th</sup>).

This item was addressed under the Consent Agenda.

16. ***Application for Social Affairs Permit*** – Whitehouse Rescue Squad (June 3, 2007)

This item was addressed under the Consent Agenda.

***Hunting on Township-owned properties*** – locations.

Mrs. Allen referred to the hunting on Township-owned properties. She asked if the Committee would reconsider the “Bow Hunting Only” on Block 55, Lot 13.51. She said this property is 55 +/- acres on Pinebank Road and is located between two (2) preserved farms where there is shotgun hunting. She suggested that this property be designated as “Shotgun Hunting Only.”

After a short discussion, ***A MOTION*** was made by Mrs. Allen to approve the locations for Hunting on Township-owned properties as follows:

- Cole Road (Block 52.01, Lot 14.06)
- Cole Road (Block 66, Lots 2 & 3)
- Old York Road (Block 96, Lot 18)
- Pleasant Run Road (Block 66, Lot 13)
- Thor Solberg Road (Block 57, Lot 2)
- Woodschurch Road (Block 63, Lots 19 & 64)
- Pinebank Road (Block 55, Lot 13.51) - Shotgun Hunting Only
- County Rt. 523 (Block 25, Lots 19 & 20) - Bow Hunting Only

This motion was seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

***ADMINISTRATOR’S REPORT:***

Written report submitted.

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

***ATTORNEY’S REPORT:***

Written report submitted.

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

***ENGINEER'S REPORT:***

Written report submitted.

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

***COMMITTEE REPORTS:***

**1. Gerard Shamey:**

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

**2. Julia Allen:**

**a. Planning Board**

Mrs. Allen said a tour of preserved farms was held last Sunday and it was very successful. Approximately twenty (20) people attended and everyone was very appreciative and really enjoyed themselves.

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

**3. Thomas Auriemma:**

Mr. Auriemma said the Memorial Day Parade is scheduled for Monday, May 28<sup>th</sup> at 10:00 a.m.

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

**4. 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.

As Mr. Gatti was not in attendance, no additional report was given

**5. Beatrice Muir:**

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

**COMMENTS FROM THE PUBLIC:**

Mayor Shamey asked for comments from the public.

Ms. Ingelore Krug referred to her comments at the last meeting regarding the noise coming from her neighbor's home. She said they must have heard about her comments because there is no longer any noise coming from their home.

Ms. Krug said she would like to thank Mrs. Allen for addressing her concerns about the fence on

Mrs. Allen said Ms. Krug had concerns that a fence on her property was not forty (40) feet from her property line as prescribed in the resolution for the Genesis housing development, but thirty (30) feet. Engineer McEldowney's office surveyed the fence and found it to be thirty (30) feet four (4) inches.

**COMMENTS FROM THE GOVERNING BODY:**

Mayor Shamey asked for comments from the Governing Body. There were none.

***ADJOURNMENT***

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

Respectfully Submitted:

Vita Mekovetz, RMC\CMC  
Administrator\Municipal Clerk