

**READINGTON TOWNSHIP COMMITTEE
MEETING – JUNE 18, 2007**

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

ABSENT: Mayor G. Shamey

ALSO PRESENT: Administrator Mekovetz, Attorney Dragan and Rob O’Brien

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

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

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

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

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

EXHIBIT A

<u>Subject Matter</u>	<u>Basis of Public Exclusion</u>	<u>Date Anticipated When Discussion Will Be Disclosed to Public</u>
Recreation.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Block 36, Lot 96 (Doyle).....	Contract Negotiations.....	" " "
Block 20, Lot 11 (Csepi).....	Contract Negotiations.....	" " "
Stickney Guest House.....	Contract Negotiations.....	" " "
Cable TV Franchise.....	Contract Negotiations.....	" " "
Arcadia Publishing.....	Contract Negotiations.....	" " "
Professional Services..... Connell-Foley	Contract Negotiations.....	" " "
Executive Session Minutes (June 6, 2007).....	Attorney-Client Privilege.....	" " "
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, & 8, Block 39, Lot 24 & Block 67, Lot 2 (Solberg Aviation - Hromoho).....	Litigation.....	" " "

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

EXECUTIVE SESSION RESOLUTION – continued:

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

The meeting reconvened at 7:20 p.m.

Deputy Mayor Auriemma led those present in the *Salute to the Flag*.

CONSENT AGENDA:

1. **APPROVAL OF THE MINUTES** of meeting of June 6, 2007.
2. **The Phoenix Communications Group, Inc.** – filming of “Homefield Advantage” television show on June 21st & 22nd at 4 Ryland Road.
3. **Liquor License Renewals** - resolution.

**TOWNSHIP OF READINGTON
 RESOLUTION AUTHORIZING ALCOHOLIC BEVERAGE LICENSE RENEWALS
 R-2007-85**

BE IT RESOLVED, by the Township Committee of the Township of Readington that the following Readington Township Alcoholic Beverage License Renewals for 2007-2008 be approved:

PLENARY RETAIL DISTRIBUTION:

<u>LICENSE NUMBER</u>	<u>LICENSE HOLDER</u>	<u>MUNICIPAL FEE</u>	<u>STATE FEE</u>
1022-44-008-005	Bishop & Bishop Bar & Liquors	\$1,281.60	\$200.00
1022-44-015-002	Readington Wine & Spirits	\$1,281.60	\$200.00

PLENARY RETAIL CONSUMPTION:

<u>LICENSE NUMBER</u>	<u>LICENSE HOLDER</u>	<u>MUNICIPAL FEE</u>	<u>STATE FEE</u>
1022-33-001-002	Chanco (Stanton Ridge Country Club)	\$1,281.60	\$200.00
1022-33-006-005	Ryland Inn Restaurant Operation, L.L.C.	\$1,281.60	\$200.00
1022-33-007-005	Bensi of Whitehouse Station, LLC.,	\$1,281.60	\$200.00
1022-33-003-006	What’s Cookin, Inc.	\$1,281.60	\$200.00
1022-33-005-005	Readington Diner, Inc.	\$1,281.60	\$200.00

CLUB:

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

4. **Jacobs-BBL** - Partial Payment #19 for Three Bridges Pump Station project (\$16,555.13).
5. **Jacobs-BBL** - Partial Payment #20 for Three Bridges Pump Station project (\$3,139.57).
6. **Furdyna/Block 68, Lot 5.03** - request for refund of unused fire inspection fee.
7. **Application for Catering Permit** - Growth Restaurants, Inc. (July 27th - 30th).

CONSENT AGENDA – continued:

8. **Payment of the Bills.**

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND APPROPRIATION	001	\$ 909,589.02
SEWER APPROPRIATION	002	\$ 46.64
TRUST APPROPRIATION	003	\$ 78.00
CAPITAL APPROPRIATIONS	004	\$ 348,601.29
MISC REFUND, COUNTY TAX, LIENS	005	\$ 43,542.98
PAYROLL DEDUCTIONS	006	\$ 137,000.06
TOTAL OF ALL FUNDS:		\$ 1,239,057.99

9. **Municipal Court & Violations Bureau Report** for May, 2007.

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. Gatti - Aye (except for approval of the minutes of the May 21, 2007 meeting as he did not attend)
- Mrs. Muir - Aye
- Deputy Mayor Auriemma - Aye

CORRESPONDENCE/OTHER INFORMATION:

1. Letter dated June 8, 2007 from Alex DeCrocce, Assembly Republican Leader, regarding **resolution in support of Assembly Republican Budget Plan & Property Tax Relief**, noted for information. No action taken.
2. Notice dated June 13, 2007 from William G. Dressel, Jr., Executive Director, NJ State League of Municipalities regarding **opposition to S-2249 – Paid Family Leave**, noted for information. No action taken.
3. Memorandum dated May 28, 2007 from Laura G. Eidsvaag, Municipal Clerk, Borough of Califon, regarding adoption of a resolution **supporting renewal of the Garden State Preservation Trust**, noted for information.

Mrs. Allen said that Governor Corzine has agreed to put a question on the ballot regarding authorizing bonding for \$200 million in 2009. There is approximately \$160 million left in the Garden State Preservation Trust for 2008.

4. Public Hearing Notice from New Jersey Transit Corporation regarding the **Senior Citizen and Disabled Resident Transportation Assistance Act**, noted for information. No action taken.

OLD BUSINESS:

1. **Solberg Airport** - update by Deputy Mayor Auriemma.

As Mayor Shamey was not in attendance, no update was given.

2. **Recycling of Plastic Bags and Fluorescent Light Bulbs.**

Administrator Mekovetz said the Committee discussed this matter at the last meeting. She had prepared a memo to the Committee after receiving feedback from Scott Jesseman on this matter, however the memo did not get to the Committee prior to the last meeting.

Recycling of Plastic Bags and Fluorescent Light Bulbs – continued:

Mr. Gatti said Mr. Jesseman does not suggest that the Township should take in plastic bags or mercury filled light bulbs.

Mrs. Muir said that mercury filled light bulbs can be disposed of at the County Hazardous Waste Day and plastic bags can be recycled at most area grocery/department stores.

Mrs. Muir suggested that a notice regarding the recycling of plastic bags be placed in the next newsletter.

Mrs. Allen said she spoke with Cheryl Filler from the Environmental Commission regarding the inconvenience and waiting time at the County Hazardous Waste Day.

A ***MOTION*** was made by Mrs. Muir to send a letter to Hunterdon County asking that they hold Hazardous Waste Clean-up days at least four (4) times a year. This motion was seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Mrs. Allen said the County also has an electronic recycling day. She said it would be convenient for Readington to advertise an electronic recycling day prior to the County day and then whatever is collected could be taken to the County.

Mrs. Muir suggested that the Environmental Commission research electronic recycling to see if they can work something out with the County, and then come back and make a presentation to the Committee.

Administrator Mekovetz said she will contact the Environmental Commission regarding this matter, and perhaps suggested that they also speak with Scott Jesseman.

EXECUTIVE SESSION:

Deputy Mayor Auriemma announced that the following business was completed during Executive Session:

Personnel – Recreation

A ***MOTION*** was made by Mrs. Muir to hire the following Summer Recreation employees:

<u>NAME</u>	<u>AGE</u>	<u>HOURLY RATE</u>
Amanda Adams	20	\$9.00
Anthony Armellino	18	\$9.25
Amanda Berstler	19	\$9.50
Sarah Brandell	19	\$9.00
Tara Burgher	16	\$8.00
Alex Caron	19	\$9.00
Lisa Clarke	19	\$9.25
Tony Critelli	18	\$9.00
Christian Dammel	18	\$9.25
Deiana Deery	16	\$8.00
Donna Eckel	17	\$8.25
Amanda Eitzen	21	\$12.00
Matthew Eitzen	16	\$8.00
John Fenton	18	\$9.00
Annmarie Forenza	16	\$8.00
Mary Pat Forenza	\$13.00	
Peter Forenza	19	\$9.25
Eidin Glackin	18	\$9.00
Lisa Griguoli	23	\$11.00

Personnel – Recreation – continued:

<u>NAME</u>	<u>AGE</u>	<u>HOURLY RATE</u>
Michael Hall	16	\$8.00
Stefanie Hamilton	20	\$9.25
Natalie Hornak	22	\$10.00
Tim Irwin	17	\$8.00
Andrew Laird	18	\$9.00
Benjamin Lehar	17	\$8.00
Lydia Lelah	16	\$8.00
Katherine Levy	18	\$9.00
Sarah Levy	21	\$9.00
Vicki Marcine	26	\$15.50
Nicki Marcucci	17	\$8.75
Andrew Mason	17	\$8.25
Lauren McCarthy	16	\$8.00
Erin McKay	27	\$12.00
Julie McMahan	17	\$8.00
Molly Pahuta	19	\$9.25
Kristin Polito	38	\$13.00
Darren Pieper		\$12.00
Jamie Rad	23	\$11.00
Vicki Schmidt	20	\$9.25
Casey Sevell	19	\$9.25
Lauren Shendock	20	\$9.25
Jennine Steinberg	18	\$9.00
Jonathan Stone	19	\$9.50
Victoria Stone	18	\$9.25
Zachary Toman	17	\$8.25
Kelly Wagner	20	\$10.50
Julie Weisman	17	\$8.25
Molly Yoskowitz	18	\$9.25
Smantha Zabawa	16	\$8.00
Marc Zamarin	19	\$9.00
Kaitlin Zielinski	17	\$8.25

Bus Drivers
 Debbie Hill \$16.00

Patricia Marcine Salary

This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations – Block 36, Lot 96 (Doyle)

Deputy Mayor Auriemma said that this matter will remain in Executive Session.

Contract Negotiations – Block 20, Lot 1 (Csepi)

A **MOTION** was made by Mrs. Allen to approve the contract for Block 20, Lot 1 (Csepi). This motion was seconded by Mrs. Muir and on Roll Call vote the following was recorded:

- Mrs. Allen - Aye
- Mr. Gatti - Aye

Mrs. Muir - Aye

Deputy Mayor Auriemma - Aye

Contract Negotiations – Stickney Guest House

The following Resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION
R-2007-83**

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:

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:
 - Pickell Architecture, LLC for preparation of bid package consisting of technical specifications and construction drawings and assist the Township with analysis of the bids at a cost of \$4,200.
2. Said contract shall expire December 31, 2007.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
4. This Resolution shall take effect immediately.

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

Mrs. Allen - Aye

Mr. Gatti - Aye

Mrs. Muir - Aye

Deputy Mayor Auriemma - Aye

Contract Negotiations – Cable TV Franchise

The following Ordinance was offered for introduction:

AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO PATRIOT MEDIA & COMMUNICATIONS CNJ, LLC, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OWN, OPERATE, EXTEND AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF SAID FRANCHISE, AND PROVIDING FOR THE REGULATION AND USE OF SAID SYSTEM.

Ordinance #27-2007

Section 1: Short Title.

This Ordinance shall be known and may be cited as the “**Patriot Franchise Renewal Ordinance.**”

Cable TV Franchise Ordinance – continued:

Section 2: Definitions.

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular, include the plural.

1. **“Application”** means the Application for Renewal of Municipal Consent filed by Patriot Media & Communications CNJ, LLC with the Township of Readington on or about September 22, 2006.
2. **“Board”** means the Board of Public Utilities of the State of New Jersey.
3. **“Cable Operator”** means any Person owning, controlling, operating or managing a Cable System, in accordance with 47 U.S.C. §522 (5). The term “Person” as used herein shall be construed, without limiting the generality thereof, to include specifically any agency or instrumentality of this State or of any of its political subdivisions; but this definition shall not include a telephone, telegraph or electric utility company regulated by the Board in a case where it merely leases or rents or otherwise provides to a CATV Company wires, conduits, cables, or pole space used in the redistribution of television signals to or toward subscribers or customers of such CATV Company.
4. **“Cable System”** means in accordance with 47 U.S.C. §522 (7) any facility within this State which is operated or intended to be operated to perform the service of receiving and amplifying the signals broadcast by one or more television stations and redistributing such signals by wire, cable or other device or means for accomplishing such redistribution, to members of the public who subscribe to such service; or distributing through its facility any television signals, whether broadcast or not; or any part of such facility. The term “facility” as used in this subsection includes all real property, antennae, poles, wires, cables, conduits, amplifiers, instruments, appliances, fixtures, and other personal property used by a Cable Operator in providing service to its subscribers and customers.
5. **“Municipality”** is the Township of Readington, County of Hunterdon, in the State of New Jersey, and shall include, as appropriate, the governing body of the Municipality.
6. **“Company”** is the grantee of rights under this Ordinance awarding a Franchise and is known as Patriot Media & Communications CNJ, LLC, and shall include its duly authorized successors and assigns.
7. **“Federal Act”** shall mean that Federal statute relating to Cable Service commonly known as the Cable TeleCommunications Policy Act of 1984, 47 U.S.C. § 521 et seq., as modified by the Cable Television Consumer Protection and Competition Act of 1992.
8. **“Federal Regulations”** shall mean those Federal Regulations relating to Cable Service, 47 C.F.R. § 76.1 et seq. and, to the extent applicable, any other Federal rules and regulations relating to cable television, including, but not limited to, those described in 47 C.F.R § 76.3, or as such regulations may be amended.
9. **“F.C.C.”** is the Federal Communications Commission.
10. **“Highway”** as used herein includes every street, road, alley, thoroughfare, way or place of any kind used by the public or open to use by the public.
11. **“Person”** is any person, firm, partnership, association, corporation, company or organization of any kind.

12. “**State Act**” shall mean that statute of the State of New Jersey relating to cable television, known as the Cable Television Act, N.J.S.A. § 48:5A-1 et seq., or as that statute may be amended.

Cable TV Franchise Ordinance – continued:

13. “**State Regulations**” shall mean those regulations of the Board relating to cable television, N.J.A.C. 14:17-1.1 et seq. and N.J.A.C. 14:18-1.1 et seq., or as such State regulations may be amended.
14. “**Subscriber Revenues**” shall mean those revenues derived from the monthly service charges paid by subscribers located within the Municipality for the provision of Cable Service. Subscriber Revenues shall not include revenues received as installation charges and fees for reconnections, inspection, repairs or modifications of any installations. Subscriber Revenues shall also not include any revenues received: (a) as reimbursement of expense in the operation of any access channels; (b) as advertising payments; (c) from the leasing of cable channels; (d) from programs for which a per-channel or per-program charge is made; (e) any taxes, fees or assessments imposed, franchise fees, and/or assessed by any governmental authority, and (f) from furnishing other communications information and non-broadcast services either directly or as a carrier for another party.

Section 3: Qualifications of Grantee and Grant of Authority.

A public hearing concerning the renewal of the Franchise herein granted to the Company was held after proper public notice pursuant to the terms and conditions of the State Act. Said hearing having been held as above stated and having been fully open to the public, the Municipality, having received at said hearing all comments regarding the qualifications of the Company to receive this Franchise, hereby finds that the Company possesses the necessary legal, technical, character, financial, and other qualifications and that the Company’s operating and construction arrangements are adequate and feasible, and, therefore, the Municipality hereby grants the Company a non-exclusive consent, franchise, right and privilege (herein, the “Franchise”) to construct, erect, operate, modify and maintain, in, upon, along, across, above, over and under the highways, streets, alleys, sidewalks, public ways and public places now laid out or dedicated and all extensions thereof and additions thereto, in the Municipality, such poles, wires, cables, underground conduits, manholes, and other television conductors and fixtures necessary for the maintenance and operation in the Municipality of a Cable System for the purpose of distributing television and radio signals, and other electronic impulses in order to furnish television programming and other lawful services to the public. The right so granted includes the right to use and occupy said highways, streets, alleys, public ways and public places, and all manner of easements for the purposes herein set forth and as provided by the Federal Act and State Act.

Section 4: Franchise Term.

The Franchise granted the Company herein shall terminate ten (10) years from the date of issuance of a Renewal Certificate of Approval by the Board.

Section 5: Payments to the Municipality.

The Company shall, during each year of operation under this Franchise, pay to the Municipality two (2%) percent of the annual gross Subscriber Revenues received by the Company from subscribers located within the Municipality.

Section 6: Rates.

The Municipality acknowledges that, under the Federal Act, municipalities do not have the authority to regulate the rates the Company charges subscribers for its services.

Section 7: Local Office.

During the term of this Franchise, the Company shall maintain a local business office or agent,

within reasonable proximity to the Municipality, for the purpose of receiving and resolving all complaints regarding the quality of service, equipment malfunctions and similar matters.

Cable TV Franchise Ordinance – continued:

Section 8: Liability and Indemnification.

1. In accordance with N.J.S.A. 48:5A-28 (e), the Company shall pay, and by its acceptance of this Franchise the Company expressly agrees that it will pay, all damages and penalties which the Municipality may legally be required to pay as a result of the Company's negligence in the installation, operation or maintenance of the Cable Television System and Cable Communications System authorized herein. The Municipality shall notify the Company's General Manager within fifteen (15) days after the presentation of any claim or demand to the Municipality, either by suit or otherwise, made against the Municipality on account of any negligence or contract as aforesaid on the part of the Company.
2. The Company shall carry liability insurance in the minimum amounts as follows: the Company agrees to maintain and keep in force and effect at its sole cost at all times during the term of this consent, sufficient liability insurance naming the Municipality as an insured and insuring against loss by any such claim, suit, judgment, execution or demand in the minimum amounts of one million dollars (\$1,000,000) for bodily injury or death to one person, and three million dollars (\$3,000,000) for bodily injury or death resulting from any one (1) accident or occurrence stemming from or arising out of the Company's exercise of its rights hereunder. Furthermore, the Company agrees to maintain sufficient liability insurance in the amount of one million dollars (\$1,000,000) for property damage resulting from any one (1) accident, and more specifically, as set forth in the Company's Application for Renewal of Municipal Consent (herein, the "Application").
3. During the term of the Franchise or any extension thereof, the Company shall give and maintain a surety bond to the Municipality, which bond shall be in the statutory amount of \$25,000.00. Such bond shall exist to insure the faithful performance of all undertakings of the Company as represented in its Application and incorporated herein.

Section 9: System Construction Maintenance and Procedures.

1. **Franchise Territory.** The consent granted under this Ordinance shall apply to the entirety of the Municipality and any property hereafter annexed thereto.
2. **Primary Service Area; Line Extension Policy.** The primary service area shall consist of all public residential streets within the Municipality existing as of the date of this Ordinance and over which the Company currently maintains cable plant, as set forth in a map supplied by the Company to the Municipality with its Application. Any areas along existing public streets and rights-of-way where service is not available, as indicated on the map supplied by the Company with its Application, and new residential or commercial public streets shall be governed by the Company's line extension policy.
3. **Extension of Services.** The Company shall be required to provide service to any person's residence or business located in the Municipality in accordance with Company's stated installation charges and line extension policy as set forth in its Application and tariff or as the same may hereafter be amended. As new public streets and roads are constructed within the Municipality, the Company will extend its system onto such roads in a timely fashion in accordance with its line extension policy. For purposes of the line extension policy, the minimum homes per mile density shall be 25.
4. **Facilities and Equipment.** In transmitting its television signals to subscribers in the Municipality, the Company shall provide a quality of signal that is at least as good as that customarily provided under prevailing industry standards, and shall comply with any requirements imposed by the Federal Regulations, and (to the extent not preempted by

Federal law) any State Regulations relating to technical standards for the transmission of television signals, transmission quality or facilities and equipment.

5. **Relocation of Poles.** In the event that, at any time during the term of this Ordinance, the Municipality shall lawfully elect to alter or change the grade of any street, alley or other public way, the Company, upon reasonable written notice by the Municipality, shall remove, relay and relocate its poles, wires, cables, underground conduits, manholes and other fixtures at the Company's own expense.

Cable TV Franchise Ordinance – continued:

6. **Temporary Wire Changes.** The Company shall, on the request of any Person holding a valid building moving permit issued by the Municipality, temporarily raise or lower its wires to permit the moving of buildings or machinery or in other similar circumstances. The expense of such temporary removal, raising or lowering of wires shall be paid by the Person requesting same, and the Company shall have the authority to require such payment in advance. The Company shall be given not less than thirty (30) days advance written notice to arrange for temporary wire changes.
7. **Tree Trimming.** The Company shall have the authority to trim trees upon and overhanging any Highway within the Municipality so as to prevent the branches of such trees from coming into contact with the wires and cables of the Company. Such trimming shall be performed only to the extent necessary to maintain proper clearance for Patriot wires and cables. The Company shall provide at least three (3) days notice for any planned tree-trimming, except that in the event of an emergency, the Company may perform tree trimming as necessary to protect its facilities and then provide notice as soon as practicable thereafter.
8. **Compliance with Standards.** All facilities and equipment of the Company shall be constructed and maintained in accordance with the requirements and specifications of the applicable ordinance and regulations set forth by the Municipality and or any other local, State or Federal agencies.
9. **Restoration.** In the event that the Company or its agents disturb any pavement, street surfaces, sidewalks, driveways or other public improvements in the public ways, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as good condition as existed prior to the commencement of said work. The Company shall comply with the Township's road opening ordinances, to the extent applicable.

Section 10: Company Rules and Regulations.

The Company shall have the authority to promulgate such rules, regulations, terms and conditions governing the conduct of its business as shall be reasonably necessary to enable the Company to exercise its rights and perform its obligations under this Franchise, and to assure an uninterrupted service to each and all of its customers; provided, however, that such rules, regulations, terms and conditions shall not be in conflict with applicable Federal and/or State laws.

Section 11: Approval of Transfer.

The Company shall not sell or transfer its CableSystem to another, nor transfer any rights under this Franchise to another, except as provided in the State Act.

Section 12: Modification of F.C.C. Rules.

Any modification of existing and applicable F.C.C. rules resulting from amendment thereto by the F.C.C. shall, to the extent applicable, be considered as part of this Franchise as of the effective date of the amendment made by the F.C.C., and shall be incorporated in this Franchise by specific amendments thereto by the lawful action of the Municipality's governing body within one (1) year from the effective date of the F.C.C.'s amendment or at the time of renewal of this Franchise, whichever occurs first.

Section 13: Compliance with State and Federal Law.

This Ordinance and Franchise is subject to all provisions of the State Act and Federal Act and

to all lawful rules and regulations of the Board and the Office of Cable Television (herein, the "OCTV"), adopted pursuant thereto. The Company shall at all times comply with the rules and regulations governing cable television operations lawfully promulgated and adopted by the Board. In the event of a conflict between the State Act and State Regulations and any F.C.C. or Federal Regulations, the F.C.C. or Federal Regulations shall prevail.

Cable TV Franchise Ordinance – continued:

Section 14: Activities Prohibited.

The Company shall not allow its cable or other operations to interfere with television reception for persons not served by the Company, nor shall the Cable System interfere with, obstruct or hinder in any manner, the operation of the various utilities serving the residents of the Municipality.

Section 15: Incorporation of Application.

All of the statements and commitments contained in the Application and any amendment thereto, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be incorporated herein and made a part hereof by reference.

Section 16: Separability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid, preempted or unconstitutional by any court or Federal or State agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of this Ordinance, and such holding shall not affect the validity of the remaining portions hereof.

Section 17: Consistency With Future Federal and State Statutes, Regulations, Rules and Orders.

Should any of the Federal or State Acts or Regulations applicable to the regulation of cable television service be modified in any way, such modification(s), to the extent that it or they embody required terms and conditions and meaningfully can be incorporated into this Ordinance, shall be so incorporated, consistent with any applicable effective dates specified in such modification(s). To the extent that any such modification(s) place(s) limits on permissible terms and conditions, and any provision of this Ordinance becomes invalid by virtue of such modification(s), the preceding Section 16 shall apply. Notwithstanding the above, if there is a change in federal, state or local law that provides for a new or alternative form of authorization for a Cable Operator to provide Cable Services to subscribers in the Township, or that otherwise changes the nature or extent of the obligations that the Township may request from or impose on a Cable Operator providing such services to subscribers in the Township, the Township agrees that, notwithstanding any other provision of law, upon Company's written request the Township shall: (i) permit the Company to provide video services to subscribers in the Township on the same terms and conditions as are applicable to a Cable Operator under the changed law; (ii) modify this Franchise to comply with the changed law; or (iii) modify this Franchise to ensure competitive equity between the Company and other Cable Operators, taking into account the conditions under which other Cable Operators are permitted to provide video services to subscribers in the Township. The Township and the Company shall implement the provisions of this Section within sixty (60) days after the Company submits a written request to the Township. Notwithstanding any provision of law that imposes a time or other limitation on the Company's ability to take advantage of the changed law's provisions, the Company may exercise its rights under this Section at any time, but not sooner than thirty (30) days after the changed law goes into effect.

Section 18: System Upgrade.

1. The Company has upgraded the Cable System in place in the Municipality with state-of-the-art technology, as committed to and specified by the Company in the Application. The distribution system has been upgraded with both fiber optic and coaxial cable and now

employs what is customarily known in the industry as “fiber to the service area” architecture. This architecture consists of fiber optic cable from the system head-end to a hub, if required, to a node in the service area. The system capability 870 MHz of bandwidth, except that the Company shall not be obligated to activate more than 750 MHz of bandwidth.

Cable TV Franchise Ordinance – continued:

2. The upgraded system is capable of providing two-way interactive services to subscribers. Such services may include video on demand and high speed data transfer. The system includes all necessary distribution electronic equipment required to make two-way cable operations available to subscribers’ homes. Converters are available to subscribers at rates set forth in the Company’s tariff to enable subscribers to utilize such two-way technology.

Section 19: Municipal Complaint Officer.

OCTV is hereby designated as the Complaint Officer for the Municipality, pursuant to N.J.S.A. 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5.

Section 20: Local Origination Channel.

The Company will continue to operate and program a local origination channel which will be available to all subscribers within the Municipality.

Section 21: Courtesy Service.

1. The Company shall provide the installation of one (1) outlet and basic monthly cable television service to each existing school, library, and other municipal facilities, as set forth below, free of charge provided the installation to said institution is within the standard distance from the Company’s existing cable plant, as set forth in the Company’s filed tariff (otherwise, long drop and/or line extension charges shall apply). Each additional outlet installed, if any, shall be paid for by the institution requesting same on a materials plus labor basis. Monthly service charges shall be charged at the standard rate for each additional outlet.
 - a. **[list facilities and addresses]**

Readington Township Fire Companies

East Whitehouse Volunteer Fire Co.
P.O. Box 151/ Old Hwy 28
Whitehouse, NJ 08888

Readington Volunteer Fire Co.
6 Hillcrest Rd.
Whitehouse Station, NJ 08889

Three Bridges Volunteer Fire Co.
P.O. Box 127/467 Main St.
Three Bridges, NJ 08887

Whitehouse Station Fire Co. # 1
P.O. Box 215 /271 Main St.
Whitehouse Station, NJ 08889

Readington Township Rescue Squad

Whitehouse First Aid & Rescue Squad
P.O. Box 175/269 Main St.
Whitehouse Station, NJ 08889

Readington Township Schools

Holland Brook School (3-5)
P.O. Box 1500/52 Readington Rd.
Whitehouse Station, NJ 08889

Readington Middle School (6-8)
P.O. Box 700/48 Readington Rd.
Whitehouse Station, NJ 08889

Cable TV Franchise Ordinance – continued:

Three Bridges School (K-2)
P.O. Box 443 /480 Main St.
Three Bridges, NJ 08887

Whitehouse School (K-2)
P.O. Box 157/50 Whitehouse Ave.
Whitehouse Station, NJ 08889

Hunterdon Central Regional High School
84 Route 31
Flemington, NJ 08822

2. The Company further agrees to provide free of charge to each facility listed in subsection 1 above cable modem service, including a cable modem, to one (1) outlet in each of the aforementioned facilities. Said installation to such institutions must be within the standard distance from the Company's existing cable plant, as set forth in the Company's filed tariff (otherwise, long drop and/or line extension charges shall apply). Each additional outlet installed, if any, shall be paid for by the institution requesting same on a materials plus labor basis. Monthly service charges shall be charged at the standard rate for each additional outlet.

Section 22: Reduced Rates for Senior Citizens.

1. The Township acknowledges that New Jersey municipalities do not currently have authority to regulate the rates the Company charges subscribers for its service. In the event that federal Law, the Cable Television Act, and/or other applicable law is amended to permit a municipality to exercise regulatory power over rates, the Township reserves the right to exercise such power to the extent permitted by such law(s).
2. The Company may implement a senior citizen's discount for the monthly limited basic service rate to any person sixty-two (62) years of age or older who subscribes to cable services and does not share the subscription with more than one (1) person in the same household who is less than sixty-two (62) years of age. Such subscribers must meet the income and residence requirements of the Pharmaceutical Assistance to Aged and Disabled ("PADD") program pursuant to N.J.S.A. 30:4D-21.

Section 23: Public, Educational and Governmental Access.

The Company shall provide and maintain, without charge for its use, one (1) designated public, educational and governmental (herein, "PEG") access channel for use by residents and institutions of the Municipality. This channel may only be used for non-commercial programming and may be shared with other communities in the Company's regional franchise area.

The Municipality agrees that the Company shall retain the right to use the PEG access channel, or portion thereof, for non-PEG access programming, during times when the Municipality is not utilizing the channel for purposes of providing PEG access programming. Other than the access channel capacity specifically agreed to in this Franchise, the Company shall not be required to provide technical or production staff, or obtain equipment or studio facilities for PEG channel programming.

Section 24: Effective Date of Consent.

This Municipal Consent shall become effective as of the date upon which the Board issues a Certificate of Approval related to this consent.

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

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

Public Hearing was scheduled for Monday, July 2, 2007 at 8:00 p.m.

Contract Negotiations – Arcadia Publishing

A **MOTION** was made by Mr. Gatti to approve the agreement, as amended, with Arcadia Publishing for the publication of a pictorial book on the history of Readington Township. This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations – Professional Services

Connell – Foley

The following Resolution was offered for consideration:

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LEGAL SERVICES
#R-2007-84***

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

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

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

WHEREAS, Connell Foley, LLP has submitted a proposal indicating they will represent the Township, under the direction of the Township Committee, in matters pertaining to the potential acquisition of Solberg Airport; and will perform all usual and customary legal services incident to such representation, and take ordinary measures required for the acquisition of this site, whether voluntary or otherwise, at a rate of \$260 per hour for Partners and \$210 per hour for Associates. In addition, Connell Foley, LLP shall retain all vendors or consultants necessary for such acquisition and shall pay all invoices and will be reimbursed for payments made upon submission of receipts.

WHEREAS, Connell Foley, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Connell Foley, LLP 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 Connell Foley, LLP 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 Connell Foley, LLP as described herein; and

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

BE IT FURTHER RESOLVED, that said contract shall expire on June 30, 2008; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract 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.

Connell – Foley – continued:

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

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

Attorney-Client Privilege - Executive Session Minutes (June 6, 2007)

A **MOTION** was made by Mrs. Muir to approve the Executive Session Minutes from the meeting of June 6, 2007 for content. This motion was seconded by Mrs. Allen and on Roll Call vote the following was recorded:

Mrs. Allen	-	Aye
Mr. Gatti	-	Aye
Mrs. Muir	-	Aye
Deputy Mayor Auriemma	-	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)***

Deputy Mayor Auriemma said that this matter will remain in Executive Session.

NEW BUSINESS:

1. ***Appointment of New Member to Environmental Commission.***

A **MOTION** was made by Mr. Gatti to appoint Steve Foster to the Environmental Commission to fill the vacancy left by the resignation of Laurie Wysong. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

2. ***NJDOT – request for Noise Ordinance waiver.***

A **MOTION** was made by Mrs. Muir to approve the NJDOT's request for a waiver of the Township's noise ordinance for Maintenance Roadway Repair Contract No. C100 (Route 202 NB M.P. 13.21 to M.P. 20.33; Route 22 WB M.P. 25.50 to M.P. 31.60 & Route 29 M.P. 0.50 to M.P. 2.18). This motion was seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

2. ***PSE&G Vegetation Management Policy*** – discussion.

Mrs. Allen said she would like to discuss a change in policy for PSE&G regarding the maintenance of the transmission lines. Their policy has changed over the last 4 to 5 years

from just trimming trees as need under the wire to clear cutting under the wires out to fifty (50) feet from the center of the towers.

They have made another change this year to measure ninety (90) feet from the center of the tower and take down everything under the towers. Mrs. Allen said there are examples of this on Route 523 South through the flatwoods and also on Hillcrest Road.

Mrs. Allen said the trees that are being removed were there long before the wires were installed. She also spoke with a representative from the NJDEP regarding these concerns and he suggested that NJDEP needed to attend higher level meetings with PSE&G.

PSE&G Vegetation Management Policy – continued:

Mrs. Muir suggested that the Committee send a letter to the NJDEP asking if they are aware of the devastation that is being created and the potential hazard to the drinking water of the people of New Jersey in regard to soil run off and application of herbicides. Copies of the letter should also be sent to every municipality in Hunterdon County and to neighboring municipalities in Somerset County, asking them to draft similar letters; to the Division of Stormwater Management; legislators, Hunterdon County and Somerset County Freeholders.

A MOTION was made by Mrs. Allen to send a letter to the NJDEP asking if they are aware of the devastation that is being created and the potential hazard to the drinking water of the people of New Jersey in regard to soil run off and application of herbicides. Copies of the letter should also be sent to every municipality in Hunterdon County and to neighboring municipalities in Somerset County, asking them to draft similar letters; to the Division of Stormwater Management; legislators, Hunterdon County and Somerset County Freeholders. This motion was seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

4. ***No Parking Ordinance*** – discussion

Mrs. Allen said this is regarding creating a no-parking zone on Ridge Road and Coddington Road. These roads are exceptionally narrow.

Mrs. Muir asked if these roads are unsafe.

Mr. Gatti said the roads are very narrow and there is also a ditch on each side of the roads.

Attorney Dragan said the last time the Committee adopted a “No Parking” ordinance, recommendations were received from the Police Department and the Engineer. She said both of these roads exit onto Route 22. Sometimes NJDOT approval is required. She said it needs to be determined if the ordinance should be filed NJDOT before introduction or after adoption.

Deputy Mayor Auriemma asked that this matter be placed on the agenda for consideration at the next meeting.

5. ***Ordinance accepting Van Horne Road & Cornelius Lane*** – introduction.

The following Ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN ROADWAYS WITHIN THE RESIDENTIAL DEVELOPMENT KNOWN AS LAKE CUSHETUNK WOODS IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM MCNJ, INC. (SUCCESSOR IN INTEREST TO K. HOVNANIAN AT READINGTON, INC.)

Ordinance #28-2007

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

SECTION 1. The Township of Readington shall accept as public, the following roads which have been dedicated to the Township by K. Hovnanian at Readington, Inc., as shown on the following filed maps for the Lake Cushetunk Woods site prepared by Thomas Muir, N.J. L.S. #21218, of Najarian Associates, One Industrial Way, Eatontown, N.J., which were filed in the Hunterdon County Clerk's office as set forth below, and contained in the Deed of Dedication from MCNJ, Inc., a New Jersey corporation (successor in interest to K. Hovnanian at Readington, Inc.) to the Township of Readington. The Deed of Dedication for the roadways to be accepted is on file in the office of the Readington Township Clerk, at the Readington Township Municipal Building, 509 Route 523, Whitehouse Station, N.J.

Ordinance accepting Van Horne Road & Cornelius Lane – continued:

Name of Roadway	Filed Map Number and Date of Filing	Sheet Number
Van Horne Road (entire length)	#1154 - Filed on July 19, 1994	1,2 & 3
Cornelius Lane (entire length)	#1154 - Filed on July 19, 1994	3

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

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

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

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

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

Public Hearing was scheduled for Monday, July 2, 2007 at 8:00 p.m.

6. ***Recognition of Eagle Scout Candidate Mike Fabricatore*** – resolution.

***TOWNSHIP OF READINGTON
RESOLUTION #R-2007-86***

The following Resolution was offered for consideration:

WHEREAS, the Rockaway Greenway Park dedication took place on Sunday June 12th at 1:00 PM in a field behind the East Whitehouse Firestation; and

WHEREAS, Eagle Scout Candidate Mike Fabricatore made five (5) park benches and two (2) foot bridges with assistance from Boy Scout Troop 186 of Three Bridges; and

WHEREAS, the benches were placed at intervals to allow weary hikers a chance to catch their breath and enjoy the views and the two footbridges help traverse two natural gullies formed by the winter runoffs and spring rains.

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

Township of Readington hereby commends Eagle Scout Candidate Mike Fabricatore and Boy Scout Troop 186 for their contribution toward improving the character of Readington Township.

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

7. **Recognition of Cub Scout Pack 182 Park Dedication** – resolution.

**TOWNSHP OF READINGTON
RESOLUTION #R-2007-87**

The following Resolution was offered for consideration:

Recognition of Cub Scout Pack 182 Park Dedication – continued:

WHEREAS, Cub Scout Pack 182 of Three Bridges has worked diligently for two (2) years to clean-up the parcel known as the Rockaway Greenway, north of East Whitehouse; and

WHEREAS, Cub Scout Pack 182 has held periodic clean-up projects and removed a tremendous amount of debris from this parcel; and

WHEREAS, Cub Scout Pack 182 has also performed trail clearing and mapped out trails on this parcel; and

WHEREAS, the Rockaway Greenway Park dedication took place on Sunday June 12th at 1:00 PM in a field behind the East Whitehouse Firestation; and

WHEREAS, the park dedication was the culmination of almost two (2) years worth of trail cleanup days for Cub Scout Pack 182 of Three Bridges.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington hereby commends Cub Scout Pack 182 for their dedicated service and contribution toward improving and maintaining the character of Readington Township.

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

8. **The Phoenix Communications Group, Inc.** – filming of “Homefield Advantage” television show on June 21st & 22nd at 4 Ryland Road.

This item was addressed under the Consent Agenda.

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

This item was addressed under the Consent Agenda.

10. **Jacobs-BBL** - Partial Payment #19 for Three Bridges Pump Station project (\$16,555.13).

This item was addressed under the Consent Agenda.

11. **Jacobs-BBL** - Partial Payment #20 for Three Bridges Pump Station project (\$3,139.57).

This item was addressed under the Consent Agenda.

12. **Furdyna/Block 68, Lot 5.03** - request for refund of unused fire inspection fee.

This item was addressed under the Consent Agenda.

13. **Application for Catering Permit** - Growth Restaurants, Inc. (July 27th - 39th).

This item was addressed under the Consent Agenda.

PUBLIC HEARINGS:

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

Clerk read by Title:

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

Ordinance #17-2007 – continued:

Deputy Mayor Auriemma said this ordinance supplements the Township's Land Development Ordinance.

Attorney Dragan said in the other sections of the Land Development Ordinance, if sign relief is needed it is a variance. This ordinance makes it consistent throughout the entire ordinance.

Deputy Mayor Auriemma asked if there were any comments from the Governing Body. There were none.

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

A MOTION was made by Mrs. Allen 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 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

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

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

Ordinance #19-2007

A MOTION was made by Mrs. Allen 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 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

Administrator Mekovetz said this ordinance amends the Township's Length of Service Awards Program (LOSAP) ordinance for volunteers. Last November the voters approved an increase in the annual appropriation from \$40,000 to \$80,000. This ordinance increases the appropriation to \$60,000 in 2007 and to \$80,000 in 2008. The annual contribution for eligible volunteers will increase from \$380/year to \$600/year in 2007 and \$800/year in 2008.

Deputy Mayor Auriemma asked if there were any comments from the Governing Body. There were none.

Deputy Mayor Auriemma 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 Mr. Gatti with a vote of ayes all, nays none recorded.

Ordinance #19-2007 – continued:

Clerk read by Title:

***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

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

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

Ordinance #20-2007

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

Clerk read by Title:

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

Ordinance #20-2007

Deputy Mayor Auriemma said this ordinance establishes requirements for the proper disposal of pet waste.

Attorney Dragan said this ordinance, along with the next five (5) ordinances on for public hearing, are mandated by the State of New Jersey as part of the Township's stormwater management plan. This ordinance does not apply to a pet owner's private property.

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

Mrs. Muir said the ordinance refers to a pet as any domesticated animal. She asked how it would apply to people who keep animals for a purpose such as the 4H club.

Attorney Dragan could adopt the ordinance and then amend it at a later date to exempt farm animals.

Deputy Mayor Auriemma asked if there were any comments from the public.

Karen Jenkin said this ordinance is going to be difficult to enforce. She said this addresses pets, but there is still a terrible deer problem in the Township.

Ingelore Krug asked about Old Readington Road. She said people who do not live on this road walk their dogs there. In order to walk from Old Readington Road, through the barriers, you have to walk on private property.

Mrs. Muir said she believes the Township has an easement in this area.

Mrs. Muir suggested that the public be notified in the next newsletter that the Township now has an ordinance that will impact them if they have a pet, and that the pet waste disposal ordinance is required by the State.

Ordinance #20-2007 – continued:

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

Ordinance #20-2007

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

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

Ordinance #21-2007

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

Clerk read by Title:

***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

Deputy Mayor Auriemma said this ordinance provides for the proper disposal of yard waste.

Deputy Mayor Auriemma asked if there were any comments from the Governing Body. There were none.

Deputy Mayor Auriemma asked if there were any comments from the public.

Karen Jenkin said many other municipalities have leaf pick-up, but Readington does not.

Mrs. Muir said Readington is a very large Township that is predominantly still rural. It would be very costly.

Ingelore Krug asked if a neighbors leaves fall on her property, is she responsible for the disposal.

Mrs. Muir said this ordinance only refers to leaves that are left in the street.

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

Clerk read by Title:

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

Ordinance #21-2007

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

Ordinance #21-2007 – continued:

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

Ordinance #22-2007

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

Clerk read by Title:

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

Mr. O'Brien said the ordinance states that connections cannot be made to the stormwater system that would introduce sewage, non contact cooling water, process wastewater and other industrial waste.

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

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

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

Clerk read by Title:

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

Ordinance #22-2007

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

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

Ordinance #23-2007

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

Clerk read by Title:

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

Ordinance #23-2007

Deputy Mayor Auriemma said this ordinance prohibits the disposal of materials, other than stormwater, into the municipal separate storm sewer system.

Deputy Mayor Auriemma asked if there were any comments from the Governing Body. There were none.

Ordinance #23-2007 – continued:

Deputy Mayor Auriemma 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 Mr. Gatti with a vote of ayes all, nays none recorded.

Clerk read by Title:

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

Ordinance #23-2007

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

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

Ordinance #24-2007

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

Clerk read by Title:

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

Attorney Dragan said this ordinance is mandated by the State of New Jersey as part of the Township's stormwater management plan. One of the main purposes of this ordinance is to discourage the feeding of Canadian geese.

Deputy Mayor Auriemma asked if there were any comments from the Governing Body. There were none.

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

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

Clerk read by Title:

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

Ordinance #24-2007

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

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

ADMINISTRATOR'S REPORT:

Written report submitted.

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

ATTORNEY'S REPORT:

Attorney Dragan said the closing was held on the Bartles property last week.

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

ENGINEER'S REPORT:

Written report submitted.

Rob O'Brien said the road reclamation project for 2007 was awarded to Kingston Reclamation, Inc. and a pre-construction meeting is scheduled for this Wednesday.

Mr. O'Brien said his office will be starting the surveying of the airport property.

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

COMMITTEE REPORTS:

1. Gerard Shamey:

As Mayor Shamey was not in attendance no report was given.

2. Julia Allen:

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

3. Thomas Auriemma:

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

4. Frank Gatti:

a. Finance Department

1. ***Payment of the Bills.***

This item was addressed under the Consent Agenda.

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

5. **Beatrice Muir:**

a. **Board of Health**

Mrs. Muir said residents should be aware that it is mosquito breeding season and containers with standing water should be emptied.

b. **Public Assistance**

Mrs. Muir said there is a Social Services meeting scheduled for tomorrow evening.

COMMITTEE REPORTS – continued:

c. **Municipal Court**

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

This item was addressed under the Consent Agenda.

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

COMMENTS FROM THE PUBLIC:

Deputy Mayor Auriemma asked for comments from the public.

Karen Jenkin asked what the survey Mr. O'Brien referred to is for.

Mrs. Allen said the 101.55 acres for the airport subzone needs to be surveyed.

Ms. Jenkin said she would like to thank the Township for filling the pot holes on Weavers Lane.

Ms. Jenkin said there is also a large pot hole on Readington Road in front of the Calvary Bible Church.

Mr. O'Brien said he will contact the County regarding this issue.

Ms. Jenkin asked where the horse crossing signs placed throughout the Township came from.

Mrs. Allen said the signs were requested by the Readington Trail Association and approved by the Township Committee. The cost was covered by the Trail Association.

Ms. Jenkin asked what the speed limit is within a development.

Attorney Dragan said in the State law it's broken down between 25 mph, 35 mph and 50 mph, depending on the distance between the houses. If a municipality wants a different speed limit the engineer must make a recommendation of what a safe speed would be, and then the municipality must adopt an ordinance.

Ingelore Krug referred to the Readington Township Newsletter. She said she worked with someone at the Primary Election whose address is Neshanic Station and he does not receive a Newsletter.

Administrator Mekovetz said there are enough newsletters sent to the post offices to deliver a newsletter to every Readington resident. The resident should speak to their mail carrier.

David Simpson read in the *Hunterdon Democrat* about a contract the Township awarded to an architectural firm for the Reno Barn. He asked if the Township also paid New Jersey Barn Company to disassemble the barn on the property on Cole Road. He referred to a payment listed on the bill list.

Mrs. Allen said the Township applied to the Hunterdon County Open Space and Historic Preservation Trust Fund for a grant and received \$74,000. New Jersey Barn Company is under contract to disassemble the barn, make necessary repairs, store the barn and then re-erect the barn. The Township is in the processing of preparing a grant application for any additional work.

Mr. Simpson asked what the barn and property will be used for.

Mrs. Allen said it is a 103 acre nature preserve and it will be used for environmental education. Merck previously gave the Township a \$100,000 toward this project.

COMMENTS FROM THE PUBLIC – continued:

Mr. Simpson asked about the procedure for applying for a subdivision and the costs to the applicant if the subdivision is not approved.

Attorney Dragan said that this portion of the meeting is for public comment. If Mr. Simpson has questions for the Committee, perhaps he could submit them in writing.

Mr. Simpson commented about the Waste Management litigation.

Mrs. Allen said a portion of that litigation was recently settled.

Administrator Mekovetz said that Mr. Simpson can request to review documents or copies of documents through OPRA.

COMMENTS FROM THE GOVERNING BODY:

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

ADJOURNMENT

As there was no further business, a motion was made by Mr. Gatti at 9:30 p.m., seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

Respectfully Submitted:

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