

**READINGTON TOWNSHIP COMMITTEE  
MEETING – March 3, 2014**

Mayor Allen *calls the meeting to order at 6:00 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

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

**ALSO PRESENT:** Administrator Mekovetz, Attorney S. Dragan, Engineer O'Brien

**ABSENT:** None

**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 Committee of 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 Disclosed to Public</u></b>
Personnel .....	Housing / Social Services.....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Farm Bid Lease.....	Contract Negotiations.....	“ “ “
Fallone / Block 32, Lot 12..... Block 32, Lots 10 & 11	Contract Negotiations.....	“ “ “
Board of Adjustment.....	Attorney-Client Privilege.....	“ “ “
Block 21.04, Lot 502.06.....	Attorney-Client Privilege.....	“ “ “
Executive Session Minutes..... • February 18, 2014	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).....	Litigation.....	“ “ “
388 Readington Realty Holdings,..... LLC v. Twp of Readington	Litigation.....	“ “ “

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.”

2. This Resolution shall take effect immediately.

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

The meeting reconvened at 8:00 p.m.

Mayor Allen led those present in the *Salute to the Flag*.

***Executive Session:***

***Personnel / Housing / Social Services***

A **MOTION** was made by Mr. Gatti to authorize Attorney Dragan to draft an ordinance relative to fees for certifications, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

***Contract Negotiations / Farm Bid Lease***

Mayor Allen stated that this matter remains in Executive Session.

***Contract Negotiations / Fallone / Block 32, Lot 12, Block 34, Lots 10 & 11***

Mayor Allen stated that this matter remains in Executive Session.

***Attorney-Client Privilege / Board of Adjustment***

Mayor Allen stated that this matter remains in Executive Session.

***Attorney-Client Privilege / Block 21.04, Lot 502.06***

A **MOTION** was made by Mr. Gatti to authorize Attorney Dragan to file a response, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

***Attorney-Client Privilege / Executive Session Minutes / February 18, 2014***

A **MOTION** was made by Mrs. Fort to approve the Executive Session Minutes of February 18, 2014 for content only, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

***Litigation / Solberg Aviation / Block 48, Lot 23; Block 55, Lot 33; Block 56, Lot 1, 3, 6 & 8; Block 39, Lot 24 and Block 67, Lot 2***

Mayor Allen stated that this matter remains in Executive Session.

***Litigation / 388 Route 22 Readington Realty Holdings, LLC v. Twp. of Readington***

Mayor Allen stated that this matter remains in Executive Session.

**CONSENT AGENDA:**

Mayor Allen read the following statement:

All items listed with an asterisk “\*” are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

- \* 1. **APPROVAL OF MINUTES** of meeting of February 18, 2014

\* 2. ***Tax Lien Redemption***

The following resolution was offered for consideration:

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

***RESOLUTION***

***WHEREAS***, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 21.04, Lot 502.06 and,

***WHEREAS***, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

***NOW THEREFORE BE IT RESOLVED*** by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$ 867.80, plus a premium paid in the amount of \$1,000.00, known as Tax Sale Certificate #2013-004, to the lienholder, US Bank – Custodian for BV001 Trust.

\* 3. ***Tax Lien Redemption***

The following resolution was offered for consideration:

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

***WHEREAS***, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 24, Lot 13 and,

***WHEREAS***, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

***NOW THEREFORE BE IT RESOLVED*** by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$ 364.21, known as Tax Sale Certificate #11-04, to the lienholder, US Bank – Cust/Sass Muni VI dtr.

\* 4. ***Tax Lien Redemption***

The following resolution was offered for consideration:

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

***RESOLUTION***

***WHEREAS***, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 32, Lot 4 and,

***WHEREAS***, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

***Tax Lien Redemption cont'd:***

***NOW THEREFORE BE IT RESOLVED*** by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$4,392.91, plus a premium paid in the amount of \$ 300.00, known as Tax Sale Certificate #2013-010, to the lienholder, FWDSL & Associates, LP.

\* 5. ***Tax Lien Redemption***

The following resolution was offered for consideration:

***READINGTON TOWNSHIP***

***HUNTERDON COUNTY, STATE OF NEW JERSEY***

***RESOLUTION***

***WHEREAS***, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 95, Lot 12.011 and,

***WHEREAS***, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

***NOW THEREFORE BE IT RESOLVED*** by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$ 740.21, plus a premium paid in the amount of \$ 900.00, known as Tax Sale Certificate #2013-021, to the lienholder, US Bank – Custodian for BV001 Trust

\* 6. ***Tax Lien Redemption***

The following resolution was offered for consideration:

***READINGTON TOWNSHIP***

***HUNTERDON COUNTY, STATE OF NEW JERSEY***

***RESOLUTION***

***WHEREAS***, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 95, Lot 12.094 and,

***WHEREAS***, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

***NOW THEREFORE BE IT RESOLVED*** by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$ 973.30, plus a premium paid in the amount of \$1,100.00, known as Tax Sale Certificate #2013-022, to the lienholder, US Bank – Custodian for BV001 Trust.

\* 7. ***Resolution Supporting Cole Property Project (Block 67, Lot 12)***

The following resolution was offered for consideration:

**#R-2014-37**

**TOWNSHIP OF READINGTON  
COUNTY OF HUNTERDON**

**WHEREAS**, The Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide County Funds in connection with preserving open space, natural areas, farmland and historic sites; to acquire, develop, improve and maintain county and municipal lands for recreation and conservation purposes; and preservation of historic structures, properties, facilities, sites, areas, or objects; or for the payment of debt service or indebtedness issued or incurred by the municipality for any of the purposes described above; and

**WHEREAS**, the Township of Readington desires to further the public interest by obtaining funding in the amount of \$40,000 from the County of Hunterdon to fund the following project:

*Preservation of the Cole Farm (Block 67, Lot 12) at a cost of \$200,000: The Cole Farm is a 23.75 acre farm that is located within the Historic Village of Readington. The farm is in an area designated as historic in the State and Federal Register of Historic Places. Preservation of this farm serves multiple Greenways goals including the green belting of a historic village, buffering a stream corridor, protecting scenic resources and preserving farmland.*

**NOW, THEREFORE**, the governing body resolves that Vita Mekovetz, Administrator/Township Clerk is hereby authorized to:

- (a) make application for such County Open Space Trust Funds,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named Municipality; and

**WHEREAS**, the County of Hunterdon shall determine if the application is complete and in conformance with the scope and intent of the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, applicable Freeholder Board Policies and the Procedures Manual for the Municipal Grant Program adopted thereto, and notify the Municipality of the amount of the funding award; and

**WHEREAS**, the Municipality is willing to use the County funds in accordance with such adopted Policies and Procedures, and applicable state and local government rules, regulations and statutes;

**NOW, THEREFORE, BE IT FURTHER RESOLVED, BY THE** Township of Readington

1. That the Township Clerk of the above named Municipality is hereby authorized to execute any documents and agreements with the County of Hunterdon known as The Cole Farm;
2. That the Municipality has its share of funds, if required, in the amount of \$20,000;
3. That, in the event the County of Hunterdon's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

- \* 8. ***Resolution Supporting the Nomination of the Whitehouse-Mechanicsville Historic District to the National Register of Historic Places***

The following resolution was offered for consideration:

**#R-2014-38**

**TOWNSHIP OF READINGTON  
 RESOLUTION**

**WHEREAS**, the Township of Readington is extremely proud of its history; and

**WHEREAS**, the Township of Readington is the home of five districts already on the National Register of Historic Places, and

**NOW THEREFORE BE IT RESOLVED**, the Township Committee of the Township of Readington enthusiastically supports the nomination of the Whitehouse-Mechanicsville Historic District to the National Register of Historic Places.

- \* 9. **Release of Developers Escrow (6 Freeman Lane)** – Carmine Antonuccio
- \* 10. **Payment of Bills** – (Complete bill list is on file in Clerk’s Office)

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND	3-01	\$ 13,913.49
CURRENT FUND	4-01	\$ 591,212.70
SEWER APPROPRIATIONS	4-02	\$ 101,542.08
TRUST FUNDS	X-03	\$ 23,031.25
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 29,076.68
PAYROLL DEDUCTIONS	X-06	\$ 169,229.56
REG. & LOCAL SCHOOL TAX	X-07	\$5,511,135.80
2012 CAPITAL	X-11	<u>\$ 5,691.44</u>
<b>TOTAL OF ALL FUNDS</b>		<b>\$6,444,833.00</b>

**A MOTION** was made by Mrs. Muir to approve the Consent Agenda, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

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

**COMMENTS FROM THE PUBLIC** for items listed on the agenda only

There were none.

**CORRESPONDENCE / OTHER INFORMATION**

1. Memorandum dated February 19, 2014 from Denise Dolan, Clerk of the Board of Chosen Freeholders, County of Hunterdon regarding **Urging legislation be drafted, introduced, passed and signed into law extending the 2.0 percent CAP for police and fire contract disputes.**

The following resolution was offered for consideration:

**#R-2014-39**

**TOWNSHIP OF READINGTON  
RESOLUTION**

**WHEREAS**, on December 21, 2010, Assembly Bill A-3393 was signed into law as Chapter 105, P.L. 2010; and

**WHEREAS**, the aforesaid law revised the procedure for negotiating police and fire contract disputes and set a "cap" whereby an arbitrator shall not render any award pursuant to section 3 of P.L. 1977, c.85 (C.34:13A-16) which, on an annual basis increases base salary items by more than 2.0 percent of the aggregate amount expended by the public employer on base salary items for the members of the affected employee organization in the twelve months immediately preceding the expiration of the collective negotiation agreement subject to arbitration; and

**WHEREAS**, the aforesaid "cap" is due to expire on April 01, 2014; and

**WHEREAS**, it is essential that local governments continue to be relieved of the burden of funding excessive bargaining agreement awards which drive local, state and county budgets and taxes upward, generating an unacceptable fiscal burden on taxpayers;

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

1. That this Township Committee is on record urging that legislation be drafted, introduced, passed and signed into law extending the aforesaid "cap" for police and fire contract disputes; and
2. That a copy of this resolution be distributed to all Hunterdon County's state representatives; to the sponsors of the original legislation; to the Chairman of the Assembly Budget Committee; to the Chairman of the Assembly Law and Public Safety Committee; to the President of the Senate; to the Speaker of the Assembly; to the Honorable Governor of the State of New Jersey, Christopher J. Christie; to the League of Municipalities urging adoption and distribution of similar resolutions of support.

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

2. Memorandum dated February 25, 2014 from Sharon Brienza, Municipal Clerk, Township of Branchburg regarding **An Ordinance amending the Land Development Ordinance of the Township of Branchburg to permit "Community Residences", as defined, in all residential zones.** No action taken.

**NEW BUSINESS**

1. **Request for Release of Performance Guarantee Reduction / The Farm Property, LLC (Block 36, Lots 47 & 48)** – Letter dated February 18, 2014 from Rob O'Brien, Township Engineer

Engineer O'Brien stated that the contractor completed most of the sanitary sewer along Route 22; therefore, recommended the reduction of the performance bond.

The following resolution was offered for consideration:

**#R-2014-40**

**TOWNSHIP OF READINGTON  
 RESOLUTION**

**WHEREAS**, The Farm Property, LLC did on January 15, 2014 file a written request with the Township of Readington for a reduction in Cash Performance Guarantee Check #5139600-3 in the amount of \$122,363.68 and Performance Bond #S-272889 in the amount of \$201,273.12 for work completed on Block 36, Lot 48; and

**WHEREAS**, the Township Engineer has confirmed that a certain amount of work has been done by The Farm Property, L on said property; and

**WHEREAS**, in accordance with the Municipal Land Use Law the Township may retain up to 30% of a Performance Bond to assure the completion of site work;

**WHEREAS**, the Township Engineer has supplied a reduced bond amount for Cash Performance Guarantee Check #5139600-3 and Performance Bond #S-272889, as indicated in his letter of February 18, 2014 based upon the Municipal Land Use Law requirement:

<b>BOND OR CHECK</b>	<b>ORIGINAL BONDED AMOUNT @ 120%</b>	<b>RECOMMENDED REDUCTION FOR WORK COMPLETED @ 120%</b>	<b>REMAINING PERFORMANCE GUARANTY @ 120%</b>
NGM Insurance Co. #S-272889	\$ 201,273.12	\$ 100,224.00	\$ 101,049.12
Check #5139600-3	\$ 22,363.68	\$ 11,136.00	\$ 11,227.68
<b>Total</b>	<b>\$ 223,636.80</b>	<b>\$ 111,360.00</b>	<b>\$ 112,276.80</b>

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that authorization is hereby given to reduce Cash Performance Guarantee Check #5139600-3 and Performance Bond #S-272889, as recommended by the Township Engineer; and

**BE IT FURTHER RESOLVED**, that authorization is given to the Township Clerk to forward copies of this Resolution approving these reduced amounts to the applicant.

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

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

2. **Calendar Year 2014 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank**

The following ordinance was offered for introduction:



**CALENDAR YEAR 2014  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**ORDINANCE #06 -2014**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Readington in the County of Hunterdon finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee of the Township of Readington hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 459,402. in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Committee of the Township of Readington hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Readington, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of Readington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 459,402.00, and that the CY 2014 municipal budget for the Township of Readington be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

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

The Public Hearing was scheduled for March 17, 2014 at 7:45 p.m.

3. ***Draft Changes to Accessory Structures and Undersized Lot Setback Standards*** – memo dated February 11, 2014 from Planning Board

Mayor Allen stated that a need was identified for clarification of acceptable accessory structures on undersized lots in the Township. Attorney Dragan added that in the past there was some discussion on reducing the number of echo units and this may be the time to draft it into the ordinance. The Committee discussed capping the number of echo units.

The following ordinance was offered for introduction:

***AN ORDINANCE AMENDING CHAPTER 148 OF THE LAND USE ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY PERTAINING TO ACCESSORY STRUCTURES AND UNDERSIZED LOT SETBACK STANDARDS***

***ORDINANCE #08-2014***

***WHEREAS***, the Township of Readington recognizes the need and desire for accessory structures at a range of sizes on residential lots; and

***WHEREAS***, the Township of Readington finds that while it is appropriate for the setbacks on undersized lots to be reduced proportionately, the permitted reduction should be limited so as not to create a detrimental impact on neighboring properties due to the visibility of the structure as well as noise and activity associated with it; and

***WHEREAS***, the Township of Readington finds that oversized accessory structures can have a detrimental visual impact on neighboring properties due to their visibility and building mass;

***WHEREAS***, the Township of Readington finds that the current land use regulations should be revised to better regulate accessory structures so as to reduce the detrimental impact they may have on neighboring properties;

***NOW, THEREFORE BE IT ORDAINED*** by the Township Committee of the Township of Readington that the following amendments shall be made to Chapter 148 of the Land Use Ordinance of the Township of Readington (language underlined thus \_\_\_\_\_ represents new language; language in brackets [ ] signifies deletions):

***SECTION 1. Article V “Conditional Uses, Exceptions, Modifications and Critical Areas”, Section 148-49 “General exceptions and modifications”:***

A. Existing lots in residential zones. Individual lots legally existing independent of adjacent ownership as of the effective date of this chapter and which are of a lot size less than specified in the various districts may be improved for single-family use as a matter [or] of right and shall be considered conforming, provided that they observe the following provisions:

(1) The side yard and rear yard setback provisions may be reduced in direct proportion to the difference in lot circles: however, the reduced setback shall not be less than 50% of the setback specified by the district regulations. For example, a 40 foot side yard setback required for an undersized lot shall not be reduced to less than 20 feet.

(2) The floor area ratio (F.A.R.) may be increased inversely in proportion to the differences in lot circles.

***SECTION 2. Article VI “General Provisions”, Section 148-51 “Accessory Buildings and Structures”:***

A. **Except as otherwise provided,** [A]accessory buildings and/or structures on single-family residential lots shall be permitted in the side or rear yard of each property with a minimum setback equal to a minimum of ½ of the side and/or rear setback requirements for the principal structure. In the case of a lot with two front yards, an accessory building may be located in one of the front yards, provided that it is located no closer to the street than the front line of the house or 200 feet, whichever is less.

B. Accessory structures and buildings which are 650 square feet or larger located on single-family residential lots shall have a minimum front, side and rear yard setback equal to that required for the principal structure.

**Ordinance #08-2014 cont'd:**

C. Maximum Permitted Floor Area

(1) The maximum footprint for accessory buildings and structures shall not exceed 90% of the footprint of the principal building/structure of which such building/structure is accessory.

(2) Notwithstanding the provisions for existing undersized lots pursuant to Sec. 148-49, accessory structures shall comply with the maximum permitted floor area as regulated in Sec. 148-51.C(1).

[B]D. All farm and agricultural uses, including the growing of crops, nurseries and the raising and training of poultry, small animal and livestock, are permitted everywhere in the Township, subject to additional provisions set forth below:

(1) Said use is conducted upon a lot not less than five (5) acres in area except for the raising of fowl, small animals and livestock for purely personal, educational or recreational purposes, involving no nuisance or menace to the public health and subject to other applicable provisions of this section.

(2) No building, run or other enclosure for swine shall be closer to any property line than 200 feet. Not more than one adult swine shall be allowed for each acre contained in the property.

(3) No building for the shelter of 1,000 or more fowl of any kind or five or more adult dogs shall be closer to any property line than 200 feet.

(4) Buildings used for the shelter of fowl of any kind shall have a maximum usable floor area of 2,000 square feet for the first 10 acres and a maximum of 1,000 additional square feet for each additional acre.

(5) In all other cases, no building or enclosure for the shelter or retention of fowl or farm livestock of any kind shall be closer to any property line than 50 feet.

[C]E. No accessory building may be located closer to the street than the front line of the house or 200 feet, whichever is closer, except that if erected on a corner lot, the accessory building or structure shall be set back from the side street to comply with the setback line requirements applying to the principal building for that side street.

[D]E. Pools and permanent recreational facilities may not be located closer to the street than the front line of the house.

[E]G. ECHO housing.

(1) ECHO dwellings shall be limited to a total of [12] 8 within the Township.

(2) ECHO dwellings are permitted only in conjunction with a principal single-family dwelling.

(3) Site plan approval is not required for an ECHO dwelling. Application for a permit shall be made to the Zoning Officer.

(4) ECHO dwellings are permitted on lots having a minimum lot size of one acre for lots with public sewer and 75,000 square feet for lots without public sewer.

(5) ECHO dwellings shall comply with the required minimum setbacks for the principal building.

(6) Sufficient capacity to treat wastewater from the ECHO unit, in addition to the principal residence, shall be documented.

(7) Sufficient potable water capacity to serve the ECHO unit, in addition to the principal residence, shall be documented.

(8) The exterior finish of an ECHO dwelling shall match or complement the appearance of the principal building.

(9) After removal of the ECHO dwelling, the land devoted to the use of the ECHO dwelling shall be restored to its original condition.

**Ordinance #08-2014 cont'd:**

[F]H. No construction permit shall be issued for the construction of an accessory building or structure, other than construction trailers, storage sheds or farm accessory buildings, prior to the issuance of a construction permit for the construction of the main building upon the same premises. If construction of the main building does not precede or coincide with the construction of the accessory building or structure, the Construction Official shall revoke the construction permit for the accessory building or structure until the construction of the main building has proceeded substantially toward completion.

[G]I. The maximum height of accessory buildings shall be 25 feet or the height of the principal structure on the lot, whichever is less, unless otherwise specified in Articles IV and V, except that [farm]silos and barns for [farm] agricultural use associated with an agricultural operation [farm] shall have no height limitations.

[H]J. A swimming pool shall not be counted as a structure in the F.A.R., but it must adhere to all other space regulations.

**SECTION 3.** All other language not specifically changed by this ordinance amendment shall remain in full force and effect.

**SECTION 4.** This ordinance supersedes any ordinances, sections or portion(s) of the Land Use or any other Township ordinance inconsistent herewith.

**SECTION 5.** If the provision of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair or invalidate the remainder of any such article, section, subsection, paragraph, subdivision or clause and, to this end, the provisions of this ordinance are hereby declared to be severable.

**SECTION 6.** This ordinance shall take effect immediately upon final passage and publication in accordance with law and upon filing with the Hunterdon County Planning Board.

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

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

The Public Hearing was scheduled for April 7, 2014 at 7:45 p.m.

4. ***Amendment to Deer Fencing Ordinance***

Mayor Allen stated that this ordinance allows for deer fencing as long as it is in the side or backyard.

The following ordinance was offered for introduction:

***AN ORDINANCE AMENDING THE CHAPTER 148 OF THE LAND USE ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY TO PERMIT DEER FENCING***

***ORDINANCE # 09-2014***

**WHEREAS**, the Township of Readington recognizes the need and desire for property owners to protect their land and plantings from damage caused by deer; and

**WHEREAS**, the Township of Readington finds that the current land use regulations should be revised to permit deer fencing in a manner that is not only effective, but minimizes its appearance and visual impact.

**NOW, THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Readington that the following amendments shall be made to Chapter 148 of the Land Use Ordinance of the Township of Readington (language underlined thus \_\_\_\_\_ represents new language; language in brackets [ ] signifies deletions):

**Ordinance #09-2014 cont'd:**

**SECTION 1. Article II “Definition of Terms”, Section 148-9 “Definitions”** is hereby amended to add the following:

DEER FENCING. In order to be classified as a “deer fence”, a fence shall exhibit all of the following characteristics: (1) Fence material shall consist of open-mesh fabric with openings no smaller than 1.5 inches square or in diameter; and (2) Signage shall be in conformance with the Township’s sign regulations in Sec. 148-112.

**SECTION 2. Article VI “General Provisions”, Section 148-52 “Fences and walls”** is hereby amended as follows:

A. Permitted fences shall not require construction permits unless greater than [seven] six feet in height. Fences shall be situated on a lot in such a manner that the finished side of the fence shall face adjacent properties. No fence shall be erected of barbed wire, topped with metal spikes, nor constructed of any material or in any manner which may be dangerous to persons or animals, except that these provisions shall not apply to farms, and except further that permitted fences seven feet in height in nonresidential districts may be topped by a barbed wire protective barrier and except further that requirements of state or federal regulations shall prevail.

B. On any lot in any district, no wall or fence shall be erected or altered so that said wall or fence shall be over four feet in height in side and front yards and seven feet in height in rear yards with the following provisions and exceptions:

(1) A dog run may have fencing a maximum of seven feet in height, provided that such area is located in rear yards only and is set back from any lot line the distance required for accessory buildings in the zoning district as stipulated in Articles IV, VI and/or VI.

(2) A private residential swimming pool area must be surrounded by a fence at least four feet, but no more than seven feet in height. Swimming pool areas shall be located in rear and side yards only. See Sec. 148-57 for additional standards.

(3) A tennis court area, located in rear yards only, may be surrounded by a wire fence a maximum of 15 feet in height; said fence to be set back from any lot line the distance required for accessory buildings in the zoning district as stipulated in Article IV or Sec. 148-51.

(4) No fence, wall or hedge may be placed within 50 feet of any intersection of street right-of-way lines or within any specified sight triangle easement.

(5) Shielding of mechanical equipment adjacent to a Residential district shall be provided only by a surrounding masonry wall for sound deadening, whether on the roof or ground. Other mechanical equipment shall be screened from view by a surrounding wall of the same material or class of material as the walls of the main building.

(6) Deer fencing shall not exceed eight (8) feet in height. Deer fences may be located within side and rear yards, but may not be located closer to a public street than the front exterior wall of a principal building that is closest to said street. However, where a public street is not improved, a deer fence may be located within the front yard without reference to the location of a principal building.

**SECTION 3.** All other language not specifically changed by this ordinance amendment shall remain in full force and effect.

**SECTION 4.** This ordinance supersedes any ordinances, sections or portion(s) of the Land Use or any other Township ordinance inconsistent herewith.

**SECTION 5.** If the provision of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair or invalidate the remainder of any such article, section, subsection, paragraph, subdivision or clause and, to this end, the provisions of this ordinance are hereby declared to be severable.

**SECTION 6.** This ordinance shall take effect immediately upon final passage and publication in accordance with law and upon filing with the Hunterdon County Planning Board.

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

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

The Public Hearing was scheduled for April 7, 2014 at 7:45 p.m.

5. **An Ordinance to Amend Ordinance #23-2004, Towers and Wreckers**

Administrator Mekovetz stated that a recommendation from the Police Department was made to increase the fees for towers and wreckers.

The following ordinance was offered for introduction:

**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 217 OF THE CODE OF THE TOWNSHIP OF READINGTON ENTITLED “TOWERS AND WRECKERS” PERTAINING TO TOWING RATES**

**ORDINANCE #07-2014**

**BE IT ORDAINED** by the Mayor and Township Committee of the Township of Readington in the County of Hunterdon, State of New Jersey that Chapter 217 of the Code of the Township of Readington, entitled “Towers and Wreckers” is hereby amended as follows (Deletions are marked as [ ]). Additions or revisions are underlined thus \_\_\_\_\_):

**Section 1.** The following revisions/additions are made to **Section 217-7 “Rules and regulations: rates”**:

B. Rates. There is hereby established and adopted a Maximum Fee Rate Schedule for the towing and storage by licenses under this chapter. The Maximum Fee Rate Schedule set forth herein shall also be made part of the Tow Operators Rules/Regulations and Guidelines (which are on file in the Municipal Clerk’s office), and shall be reviewed annually and be subject to adjustment by ordinance.

(1) Basic towing services:

<b>Service</b>	<b>Fee</b>
Days (8:00 a.m. to 5:00 p.m.)	First mile or less, [ <del>\$60</del> ] <u>\$95</u>
Nights, weekends and NJ State holidays	First mile or less, [ <del>\$75</del> ] <u>\$125</u>
Mileage charge – (round trip)	[ <del>\$1.75</del> ] <u>\$3.00</u> per mile, after 1 <sup>st</sup> mile
Accident debris cleanup	[ <del>\$20</del> ] <u>\$25</u>
Accident debris cleanup with fluid spill (cannot be combined with above cleanup charge)	[ <del>\$30</del> ] <u>\$35</u>
Service charge daytime (jump starts, tire change, fuel, etc.)	[ <del>\$60</del> ] <u>\$95</u> (parts/fuel not included)
Service charge nights, weekends and holidays	[ <del>\$75</del> ] <u>\$125</u> (parts/fuel not included)
Administrative fee (must provide an itemized breakdown of each charge)	Not too exceed \$25

**Section 2.** All other language not specifically revised by this ordinance amendment shall remain in full force and effect.

**Section 3.** This ordinance supersedes any ordinances, sections or portion(s) of Chapter 217 of the Readington Township Code or any other Township ordinance inconsistent herewith.

**Ordinance #07-2014 cont'd:**

**Section 4.** If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair or invalidate the remainder of any such article, section, subsection, paragraph, subdivision or clause and to this end, the provisions of this ordinance are hereby declared to be severable.

**Section 5.** This ordinance shall become effective immediately upon publication according to law.

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

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

The Public Hearing was scheduled for March 17, 2014 at 7:45 p.m.

6. **Request to Hold Annual Coin Toss Fundraiser** – letter dated February 10, 2014 from Whitehouse Fire Company #1 to hold fundraiser on June 6 & 7 (rain date: June 13 & 14)

A **MOTION** was made by Mr. Auriemma to approve the request to hold the 2014 Annual Coin Toss, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

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

7. **Request to Host Team Somerset Cycling Time Trials on Township Roads** – letter dated February 5, 2014 from Brian Rosenblatt, Event Organizer to hold time trials on May 3

A **MOTION** was made by Mr. Gatti to approve the request to use Township roads with the recommendation as outlined in the Chief Donaruma's memo, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

8. **Request to Host 6<sup>th</sup> Annual Revolutionary Ramble Bicycle Tour on Township Roads** – letter dated February 10, 2014 from Jim Williams, Ride Co-director to use Township roads on June 14

A **MOTION** was made by Mr. Auriemma to approve the request to use Township roads with the recommendation as outlined in the Chief Donaruma's memo, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

9. **Appointment of Members to the Historic Preservation Commission**  
♦ James Carden  
♦ Matt Lachenmayr (alternate)

A **MOTION** was made by Mrs. Fort to appoint James Carden as a full member to Historic Preservation Commission for a four ( 4) year term to expire 12/31/17, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

A **MOTION** was made by Mr. Auriemma to appoint Matt Lachenmayr as an alternate member to Historic Preservation Commission, filling the unexpired term of Clay Mason, 12/31/14, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

\* 10. ***Resolution Supporting Cole Property Project (Block 67, Lot 12)***

This matter was addressed under the Consent Agenda.

\* 11. ***Resolution Supporting the Nomination of the Whitehouse-Mechanicsville Historic District to the National Register of Historic Places***

This matter was addressed under the Consent Agenda.

\* 12. ***Release of Developers Escrow (6 Freeman Lane) – Carmine Antonuccio***

This matter was addressed under the Consent Agenda.

***ADMINISTRATOR'S REPORT***

Administrator Mekovetz stated that she had nothing further to report.

***ATTORNEY'S REPORT***

Attorney Dragan reported that the Transco scoping meeting is scheduled for next Wednesday, March 12<sup>th</sup> with an alternate date of March 18<sup>th</sup> in the event of inclement weather. Mayor Allen volunteered to introduce Transco at the public hearing.

***ENGINEER'S REPORT***

Engineer O'Brien reported that the Township received the \$30,000 reimbursement from the DOT for Summer Road Section I. Engineer O'Brien added that he will be submitting an application to the DOT for the Memorial Day permit.

***COMMITTEE REPORTS***

**Julia Allen**

Mayor Allen stated that she had nothing further to report.

**Thomas Auriemma**

Mr. Auriemma stated that he had nothing further to report.

**Betty Ann Fort**

Mrs. Fort reported on the recent meetings of the Whitehouse Mechanicsville District. Mrs. Fort added that the hearing will be held in Trenton on March 13<sup>th</sup>.

**Frank Gatti**

Mr. Gatti stated that he had nothing further to report.

**Beatrice Muir**

Mrs. Muir reviewed the monthly construction code report.

***COMMENTS FROM THE PUBLIC***

There were none.

***COMMENTS FROM THE GOVERNING BODY***

There were none.



As there was no further business, **A MOTION** was made by Mr. Auriemma at 8:35 p.m. to adjourn the meeting, seconded by Mr. Gatti with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/QPA  
Municipal Clerk