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August 4, 2009
Regular Township Committee
Meeting Minutes

A Regular Meeting of the Kingwood Township Committee was called to order at 7:00 P.M. with Mayor Niemann presiding.

Also present at the meeting were Deputy Mayor Burke, Committeeman Lubitz, Attorney Robert Fodera, C.F.O. D. Laudenbach, Deputy Clerk Keller and Clerk MacConnell. Following the salute to the Flag, Mayor Niemann read aloud the following:

NOTICE REQUIREMENTS

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act by publication of the notice in the Hunterdon County Democrat and Courier News on January 15, 2009 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 14, 2009. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 13, 2009.

In order to ensure full public participation in this meeting, all members of this Committee or Board, and also members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

Resolution No. 2009-94 – Brian Bloom, Eagle Scout

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2009 – 94

WHEREAS, Kingwood Township Boy Scout Troop 251 of the Boy Scouts of America is a longstanding asset to our community, with a rich history of supporting the development of boys into productive, moral leaders in our society, and Troop 251 continues to undertake numerous service projects benefiting our residents and our Municipality; and

WHEREAS, on May 9, 2009, Boy Scout Brian Bloom, a member of Troop 251 in Kingwood Township, New Jersey was honored at a special Court of Honor ceremony to honor his achievement of Eagle Scout rank, Boy Scout's highest honor; and

WHEREAS, Brian Bloom joined scouting at six years of age as a Tiger Scout, planning from the beginning to achieve the rank of Eagle Scout some day; and

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WHEREAS, Brian Bloom served in his troop in a variety of leadership roles, including the election by his troop to the Order of the Arrow, where Brian is now a Brotherhood Member, and many other leadership positions, including the positions of Scribe and Assistant Patrol Leader; and

WHEREAS, Brian's major community service project was to repaint the entire exterior of the parish house associated with the Frenchtown Presbyterian Church, where Brian's family worships, including all of the preparation of sanding, pressure washing, and minor repairs; and

WHEREAS, Brian persevered in completing his Eagle Scout project, even after suffering a grievous compound leg fracture, which caused him to have to undertake a portion of the project in crutches and with the use of a cane, further providing evidence of his grit and determination in the face of adversity; and

WHEREAS, upon his graduation from Delaware Valley Regional High School, Brian Bloom will attend college to study mathematics with the goal of teaching honors mathematics at the secondary level; and

WHEREAS, on May 9, 2009, a Court of Honor was convened for the purpose of bestowing upon Brian Bloom the highest honor of scouting, after which, and for the rest of his life, Brian will carry the title of EAGLE SCOUT; and

WHEREAS, EAGLE SCOUT BRIAN BLOOM, has joined the ranks of a select fraternity of Eagle Scouts in our Nation, including Presidents, Elected Representatives, Clergymen, Doctors, Lawyers, Business and World Leaders.

NOW, THEREFORE, BE IT RESOLVED, on this 4th day of August, 2009, by the Mayor and Township Committee of the Township of Kingwood, that on behalf of the Governing Body and the residents of our community, we congratulate and honor with great pride,

EAGLE SCOUT BRIAN BLOOM

BE IT FURTHER RESOLVED, that on behalf of a thankful community, we appreciate the work and support of Eagle Scout Brian Bloom's parents, Scout Leaders, especially Rich and Leslie Callanan and Steve Wozniak, and fellow Boy Scouts.

It was moved by Mr. Lubitz , seconded by Mr. Burke and carried to adopt the foregoing Resolution.

Mayor Niemann read aloud the resolution.

Roll Call Vote:	Aye	-	Burke, Lubitz, Niemann
	Nay	-	None
	Absent	-	None
	Abstain	-	None

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Resolution No. 2009-95 - Chris Wozniak, Eagle Scout

RESOLUTION

RESOLUTION NO. 2009 – 95

WHEREAS, Kingwood Township Boy Scout Troop 251 of the Boy Scouts of America is a longstanding asset to our community, with a rich history of supporting the development of boys into productive, moral leaders in our society, and Troop 251 continues to undertake numerous service projects benefiting our residents and our Municipality; and

WHEREAS, on May 30, 2009, Boy Scout Chris Wozniak, a member of Troop 251 in Kingwood Township, New Jersey was honored at a special Court of Honor ceremony to honor his achievement of Eagle Scout rank, Boy Scout's highest honor; and

WHEREAS, Chris Wozniak joined scouting at six years of age as a Tiger Scout, planning from the beginning to achieve the rank of Eagle Scout some day; and

WHEREAS, Chris Wozniak has always loved the water and swimming and scouting gave him the opportunity to use these interests to earn the life saving merit badge, which helped him go on to be certified by the Red Cross as a life guard and first aide first responder.

WHEREAS, Chris had the opportunity to display his extraordinary swimming and rescue skills while enjoying an unexpected "out of the boat experience" while white water rafting through Class 5 rapids on the New River in West Virginia; and

WHEREAS, Chris has helped others not only with water safety and swimming lessons, but by generously giving his time through the Interfaith Hospitality Network (IHN), spending time serving meals, entertaining and teaching the children of the families that participate in this program; and

WHEREAS, time spent visiting Gettysburg on scouting trips inspired a strong appreciation and respect within Chris for the sacrifices that were made then and are made today by the men and women who die on the battlefield for our country. This inspired Chris to select an Eagle project that helped pay tribute to men who served in battle here in our area; and

WHEREAS, Chris's major community service project was to restore the Oak Summit Cemetery, where the founders of our nation and their sacrifices are memorialized with their grave markers, many of which were in terrible disrepair. Chris wanted the final resting place of the numerous Revolutionary and Civil War veterans to match the sacrifices they had made; and

WHEREAS, Chris enhanced the beauty and dignity of the cemetery with the installation of a natural stone wall, the installation of an American flag atop a flag pole, and setting a granite and bronze memorial that officially recognizes the Revolutionary and Civil War veterans who are buried there; and

WHEREAS, Chris persevered in completing his Eagle Scout project amidst significant academic demands at Delaware Valley Regional High School, working hard to properly budget his time between school and achieving his goal of completing his Eagle Scout project before his junior year in high school; and

WHEREAS, on May 30, 2009, a Court of Honor was convened for the purpose of bestowing upon Chris Wozniak the highest honor of scouting, after which, and for the rest of his life, Chris will carry the title of EAGLE SCOUT; and

WHEREAS, EAGLE SCOUT CHRIS WOZNIAK, has joined the ranks of a select fraternity of Eagle Scouts in our Nation, including Presidents, Elected Representatives, Clergymen, Doctors, Lawyers, Business and World Leaders.

NOW, THEREFORE, BE IT RESOLVED, on this 4th day of August, 2009, by the Mayor and Township Committee of the Township of Kingwood, that on behalf of the Governing Body and the residents of our community, we congratulate and honor with great pride,

EAGLE SCOUT CHRIS WOZNIAK

BE IT FURTHER RESOLVED, that on behalf of a thankful community, we appreciate the work and support of Eagle Scout Chris Wozniak’s parents, Scout Leaders, and fellow Boy Scouts.

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to adopt the foregoing Resolution.

Mayor Niemann read aloud the resolution.

Roll Call Vote:	Aye	-	Burke, Lubitz, Niemann
	Nay	-	None
	Absent	-	None
	Abstain	-	None

Comment from Committeeman Phil Lubitz

Committeeman Lubitz expressed that it is a great honor for these young men and their parents, and a great honor for the community in which these two young men live to have such outstanding individuals. He stated that the two young boys are a great role model for everyone in the community. The Committee members thanked the boys for attending the meeting.

CORRESPONDENCE

Letter from Twp Auditor re: Bill for Professional Services

Mayor Niemann reviewed.

Letter from State - DOA re: Application for Survey of Gypsy Moth Egg Masses

Mayor Niemann read letter aloud. The Committee members agreed to have the survey done, which they noted is not an expense for the Township.

Thank you letter from US Census Bureau

Mayor Niemann reviewed.

BILLS AND CLAIMS

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to approve and pay the bills and claims in the amount of **\$660,448.05** that are in order and attached as **Bill List** for **August** 2009.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Gilbert Dick, Oak Grove Road

Mr. Dick addressed the Committee members with a question and two comments. He asked the Committee, if the Code Enforcement Officer has the legal authority to enter properties in the Township without the owner's permission and to follow up on citizen complaints, or the Code Enforcement Officer's own observations or concerns. Mr. Dick asked if this has been an issue, and does that individual have that legal authority? Mayor Niemann responded by stating that as a municipality, to her knowledge, we have not employed that sort of approach. Mayor Niemann asked the attorney present to address this question. Attorney Robert Fodera responded by stating that generally there is an ordinance that would provide for this authority, and generally in cases of an emergency situation. He stated also that if there is a citizen complaint that needs immediate attention, there then would be applicability. Mr. Dick stated that if there is an effort to enforce local Township ordinances and a property owner simply refuses to let the Code Enforcement Officer on the property, then the whole enforcement effort is void. The Attorney noted that there are different procedures that the Township would then follow through, in the event that there is a particular concern of entering a property. He noted that the Township could always get an order to go to court and get an order from the court to be permitted to do an inspection of the property. Mr. Dick stated that he continues to have concern over the Township's approach to meetings closed to the public, which are generally called executive sessions. He feels that the reasons given to support executive sessions in the past in many instances, did not meet the standards in the law, nor has it been clarified in subsequent case law. Mr. Dick stated that as long ago as last fall, he questioned the discussion point of an executive session and whether it was a valid exception to the public meetings act, and about the minutes coming out of the executive session. He read that the executive session minutes are to be released in a reasonable time frame and especially when legal matters are resolved.

He questioned as to why the executive session minutes have not been released. He urged the committee to address this matter. Mayor Niemann responded that the Township will be working on the release of executive session minutes. She also noted that the Code Enforcement Officer's reports will now be on the list of Reports of the regular meeting agenda. The items that need to be addressed in closed session will be done at that time.

Adam Belle, Barbertown Point Breeze Road Commented that he called yesterday to be put on the agenda, as he did not know what was going on and did not get a response from the Board of Health. He explained that he has a well drilling test scheduled for his property now, and feels he is getting the runaround and no answers to his questions, as the window of opportunity is running out for the well tests. He proceeded to review the information from his letter. Mayor Niemann responded. She explained that the Township Committee is not empowered to override either of the Boards, which are the Board of Health and the Planning Board, but will try to help him in anyway. She feels that it would be best to get the Attorneys for both Boards together to get this resolved. Mr. Belle feels that the way the Township Ordinance is written, he is allowed a three part pump test, but the permit is referencing other requirements. Mr. Belle then referenced his letter to try to explain his questions, as well as documents. Attorney Fodera responded regarding the Planning Board responsibilities. There was a very lengthy discussion between Mr. Belle and the Township Committee members. Mayor Niemann noted that the attorneys from both boards along with the Chairpersons from both boards will review Mr. Belle's situation. She explained that an official will be in contact with Mr. Belle in a day or two. Mr. Belle thanked the Township Committee for their time.

Jack MacConnell, Spring Hill Road Commented on the flooding that recently occurred in the downstairs offices of the municipal building and the problems it has caused. He feels that the entrance way into the municipal building should be addressed and fixed before more damage happens to the building. Mr. MacConnell also commented on the damage to the crops from the rain and the deer. Mayor Niemann noted that the Environmental Commission is currently working on some hunting ideas for the deer. Mr. MacConnell noted that the barley straw is ready and he will have about eight bales for the Township's pond. Mr. Burke explained that the Township pond will probably need at least one more treatment before the fall, and then the barley can be added to the pond in the spring.

Sandra McNicol, Spring Hill Road Commented that there seems to be some confusion amongst residents, as far as, the duties of the Code Enforcement Officer and the Zoning Officer. She asked if there was anything that describes their job description and the definition of their duties. The Committee members responded that yes there is information on both titles, and that some appear to overlap, and are handled by practice and addressed accordingly. Mrs. McNicol was encouraged to obtain a records request form and then get a copy of the ordinances describing their jobs and duties.

REPORTS

Mayor Niemann noted that the following have been received and are available for review:

Tax Collector's Report of June 2009
Budget Report
Municipal Court Report of June 2009
Construction Department Report of July 2009
Zoning Permits Report of July 2009
General Code Enforcement Report
Township Engineer's Monthly Report

Deputy Mayor Burke noted that the Township needs to drill wells for testing at the Ukarish Property. This will most likely have to go out for bids. He explained that if the well head could be found, then the price would probably be reduced under the bid threshold. He stated that the Township is under the same time constraints for testing, but does not necessarily have to be done this year.

Dog License Report
Animal Control Report
NJSP Report
KT First Aid & Rescue Squad, Inc. Financial Statements
Wastewater Management Plan

Mayor Niemann noted that the deadline has been extended to December for the County Plan. She explained that the septic maintenance ordinance, which the County is looking to have all the municipalities adopt, will also be postponed.

Housing Board

Committeeman Phil Lubitz explained that the last meeting for the Housing Board was on July 30th, 2009. He noted that COAH has been in communication with the Township, and notified the Township that they have received no objections to our plan and that they are proceeding with the process. He reviewed the meeting of the 30th, and noted that the next meeting will be scheduled in the month of October.

FUTURE MEETINGS AND ACTIVITIES

Mayor Niemann reviewed as per the Agenda.

ORDINANCES

ORDINANCE NO. 15-06-2009 AN ORDINANCE TO REVISE AND REENACT CHAPTER 86, JUNKYARDS, AND TO AMEND CHAPTER 127, VEHICLES, INOPERABLE AND CHAPTER 132, ZONING – Public Hearing and Final Adoption

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This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on the 2nd day of July 2009. The Ordinance was published in the Hunterdon County Democrat on July 23, 2009 and has been posted in the Kingwood Township Municipal Building on July 3, 2009. Copies of the Ordinance have been available for inspection by the public since July 3, 2009.

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to open the hearing to the public. **All voted Aye on Roll Call Vote.**

Public Comments:

Linda Lezak, Route 519 Asked for a clarification of the definition of a junk dealer. Attorney Fodera responded.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to close the public hearing. **All voted Aye on Roll Call Vote.**

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to adopt on final reading **ORDINANCE NO. 15-06-2009 AN ORDINANCE TO REVISE AND REENACT CHAPTER 86, JUNKYARDS, AND TO AMEND CHAPTER 127, VEHICLES, INOPERABLE AND CHAPTER 132, ZONING.**

Roll Call Vote:	Aye	-	Burke, Lubitz, Niemann
	Nay	-	None
	Abstain	-	None
	Absent	-	None

Resident Sandra McNicol thanked the Committee members for moving on with the ordinance.

ORDINANCE

ORDINANCE NO. 15-09-2009 AN ORDINANCE AUTHORIZING THE SALE OF SURPLUS LAND – Public Hearing and Final Adoption

This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on the 2nd day of July 2009. The Ordinance was published in the Hunterdon County Democrat on July 16, 2009 and has been posted in the Kingwood Township Municipal Building on July 3, 2009. Copies of the Ordinance have been available for inspection by the public since July 3, 2009.

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to open the hearing to the public. **All voted Aye on Roll Call Vote.**

Public Comments:

N/A

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to close the public hearing. **All voted Aye on Roll Call Vote.**

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt on final reading **ORDINANCE NO. 15-09-2009 AN ORDINANCE AUTHORIZING THE SALE OF SURPLUS LAND**

Roll Call Vote:	Aye	-	Burke, Lubitz, Niemann
	Nay	-	None
	Abstain	-	None
	Absent	-	None

ORDINANCE

ORDINANCE NO. 15-10-2009 AN ORDINANCE TO REVISE AND READOPT IN ITS ENTIRETY SECTION 132-37, ENTITLED “FP FLOOD PLAIN DISTRICT,” OF CHAPTER 132 (ZONING) OF THE CODE OF THE TOWNSHIP OF KINGWOOD – Introduction and Adoption on First Reading

Mayor Niemann read the Ordinance aloud which was introduced. She explained that this ordinance is a result of the Mitigation Plan, which was worked on by Joe Zdrodowski.

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to adopt on first reading **ORDINANCE NO. 15-10-2009 AN ORDINANCE TO REVISE AND READOPT IN ITS ENTIRETY SECTION 132-37, ENTITLED “FP FLOOD PLAIN DISTRICT,” OF CHAPTER 132 (ZONING) OF THE CODE OF THE TOWNSHIP OF KINGWOOD.**

Roll Call Vote:	Aye	-	Burke, Lubitz, Niemann
	Nay	-	None
	Abstain	-	None
	Absent	-	None

Consideration of final adoption at a public hearing is scheduled for Tuesday, September 1, 2009 at a meeting beginning at 7:00 P.M. at the municipal building.

RESOLUTIONS

The following Resolution was introduced: Mayor Niemann recused herself from the floor.

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RESOLUTION NO. 2009 – 90

CONSENT TO NJPDES PERMIT APPLICATION

WHEREAS, the Mayor of the Township of Kingwood inadvertently voted on this Resolution, as No. 2009-83, at the July 2, 2009 Kingwood Township Committee meeting, but needs to recuse herself due to a conflict, and that further, the Township Committee is now ratifying the action taken at the July 2, 2009 meeting, to pass this Resolution, effective to July 2, 2009; and

WHEREAS, Uncle Scott's Steakhouse, LLC has requested consent by the Governing Body of the submission of an NJPDES-DGW application for Uncle Scott's Steakhouse, Kingwood Township, NJ to the Department of Environmental Protection; and

WHEREAS, Uncle Scott's Steakhouse, LLC has submitted a copy of the application to the Township for consideration;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to consent to the submission of the aforementioned application, and to authorize the Mayor to execute the required Statement of Consent.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the foregoing Resolution.

Roll Call Vote:	Aye	-	Burke, Lubitz
	Nay	-	None
	Abstain	-	None
	Absent	-	Niemann

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2009 - 91

**EXTENDING THE GRACE PERIOD OF THE PAYMENT OF THE THIRD
QUARTER 2009 REAL ESTATE TAXES**

WHEREAS, N.J.S.A. 54:4-66.3(d) requires that at least 25 days elapse between the time tax bills are mailed to the date taxes are due, and

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WHEREAS, it is the desire of the Mayor and Township Committee of the Township of Kingwood to allow sufficient time for preparation and mailing of the 2009-2010 tax bills after the rate has been struck and for compliance with the statute first above sited.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the grace period for the payment of the 3rd quarter 2009 property tax installments is extended to August 31, 2009 and any tax payments received after August 31, 2009, interest will be assessed from August 1, 2009.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the foregoing Resolution.

Roll Call Vote:	Aye	-	Burke, Lubitz, Niemann
	Nay	-	None
	Abstain	-	None
	Absent	-	None

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2009 - 92

TAX SALE REDEMPTION

WHEREAS, the Tax Collector has received redemption monies in the amount of \$24,923.18 to redeem Tax Sale Certificate No. 2006-03 on Block 15, Lot 4.02.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to issue a check in the amount of \$24,923.18 to US Bank Cust/Sass Muni V Dtr, Tax Lien Services Group, Philadelphia, PA, 19102 for redemption of Tax Sale Certificate No. 2006-03.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the foregoing Resolution.

Roll Call Vote:	Aye	-	Burke, Lubitz, Niemann
	Nay	-	None
	Abstain	-	None
	Absent	-	None

NEW BUSINESS

New Jersey League of Municipalities Conference

The Committee members discussed who would be attending the League. It was discussed that one person should be there to represent Kingwood Township. Phil Lubitz expressed that he would be going and he would be paying his own expenses. The Committee members agreed that if they all go they would share the expenses.

Bill Pay Program

C.F.O. Laudenbach asked the Committee members if they would be interested in a free bill paying service offered by Skylands Community Bank. She noted that she will provide a bill list prior to the meetings, and then the checks will not be released until after the meetings. The Committee members all agreed to use the service.

BAN Sale – July 1, 2009

The Committee members reviewed the memo from C.F.O. D. Laudenbach. It was a list of the bids for the Ban sale. SunNational Bank was awarded the bid and will close on July 7, 2009.

Township Newsletter

Mayor Niemann would like to have had a draft newsletter for the Committee members to review. She announced that if anyone had anything to add to be put in the newsletter to let her know. She explained that she is still working on the letter and should have it completed by the special meeting later in the month.

DPW Advertisement

Deputy Mayor Burke noted that he spoke with Public Works Supervisor Jack Search and Foreman Mark Petro. They noted that Barry Ewing's last day as a public works employee will be on August 29, 2009. Mr. Burke explained that the Road Supervisor and the Forman would like the Committee members to advertise to fill the position. It was discussed when the ad would be placed, and also what the ad would state. It was suggested to contact Jack Search with a description of the job to put in the newspaper. The Committee members agreed to advertise the position in the Hunterdon County Democrat on the 13th of August and to have a deadline date for applications to be in by Friday, August 21, 2009, by 3:00 PM. A special meeting has been scheduled for August 25, 2009 at 6:30 PM to interview three applicants for the Public Works position.

OLD BUSINESS

Raffle License Application – Greek Orthodox Parish of Hunterdon County

Clerk MacConnell explained the application received by the Greek Orthodox Parish of Hunterdon County. The Committee members reviewed.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to approve Raffle License Application from the Greek Orthodox Parish of Hunterdon County to hold a raffle at Razberry’s Banquet Center on November 14, 2009 from 6:00 P.M. till 11:00 P.M.

Roll Call Vote:	Aye	-	Burke, Lubitz, Niemann
	Nay	-	None
	Abstain	-	None
	Absent	-	None

Memo From Jeff Scott – Analysis of the Route 12 Corridor

Committeeman Lubitz reviewed the memo. He feels that the analysis was very well done. The memo is a Smart Growth Initiative Draft Update and Recommendations. It covered an impact of current zoning and development standards along the route 12 corridor. There was a discussion on a grant opportunity for Local Government Greenhouses Gas Reduction Program, which Mayor Niemann explained. She noted that a resolution is needed to apply to authorize the Township’s application.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2009 – 96

**LOCAL GOVERNMENT GREENHOUSE GAS REDUCTION PROGRAM
SUSTAINABLE KINGWOOD TEAM**

WHEREAS, the Township Committee of the Township of Kingwood is committed to lessening the environmental impact of its operations through sustainable initiatives; and

WHEREAS, the Township Committee has established a Sustainable Kingwood Team to lead and coordinate sustainability initiatives and activities of the Township;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to authorize the Sustainable Kingwood Team to prepare and submit a Pre-Application for the NJ Department of Environmental Protection’s Local Government Greenhouse Gas Reduction Grant Program.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the foregoing Resolution.

Roll Call Vote:	Aye	-	Burke, Lubitz, Niemann
	Nay	-	None
	Abstain	-	None
	Absent	-	None

Ethics Training

Committeeman Lubitz explained that the League of Municipalities are offering training on ethics for officials, paid employees, and volunteers of committees and boards of municipalities. He will look into this and let everyone know where and when the training will take place.

OLD BUSINESS

West Hunterdon Animal Welfare

Mayor Niemann noted that this is a follow up from a question from last months meeting. The question was whether the Township could donate funds to this non-profit organization that is working with the Township to reduce our feral cat population. Attorney R. Fodera stated that as long as the organization provides an invoice of an outline of the specifics of the services it is providing to Kingwood, and a Resolution is passed by the Governing Body it would be possible to donate the funds. The Attorney noted that when the invoice is received then a resolution should be adopted.

MINUTES

July 2, 2009 Regular Meeting

Mayor Niemann noted that she was unable to review the regular minutes of July 2, 2009, and would like to table until the next meeting.

July 2, 2009 Executive Session

It was moved by Mr. Burke, Mayor Niemann stepped down and seconded the motion and carried to adopt the Minutes of July 2, 2009 Executive Session.

Roll Call Vote:

AYE	- Burke, Niemann
NAY	- None
ABSTAIN	- Lubitz
ABSENT	- None

It should be noted that the minutes of executive sessions shall be held as closed until officially released by the Township Committee.

July 28, 2009 Special Meeting

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to adopt the Minutes of July 28, 2009 Special Meeting.

Roll Call Vote:

AYE	- Burke, Lubitz, Niemann
NAY	- None
ABSTAIN	- None
ABSENT	- None

January 6, 2004 Regular Meeting

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the Minutes of January 6, 2004 Regular Township Committee Meeting.

Roll Call Vote:

AYE	- Burke, Lubitz, Niemann
NAY	- None
ABSTAIN	- None
ABSENT	- None

February 3, 2004 Regular Meeting

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the Minutes of February 3, 2004 Regular Township Committee Meeting.

Roll Call Vote:

AYE	- Burke, Lubitz, Niemann
NAY	- None
ABSTAIN	- None
ABSENT	- None

February 3, 2004 Executive Session

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the Minutes of February 3, 2004 Executive Session.

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Roll Call Vote: **AYE** - **Burke, Lubitz, Niemann**
 NAY - **None**
 ABSTAIN - **None**
 ABSENT - **None**

It should be noted that the minutes of executive sessions shall be held as closed until officially released by the Township Committee.

February 25, 2004 Special meeting

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the Minutes of February 25, 2004 Special Meeting.

Roll Call Vote: **AYE** - **Burke, Lubitz, Niemann**
 NAY - **None**
 ABSTAIN - **None**
 ABSENT - **None**

March 1, 2004 Special Meeting

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the Minutes of March 1, 2004 Special Meeting.

Roll Call Vote: **AYE** - **Burke, Lubitz, Niemann**
 NAY - **None**
 ABSTAIN - **None**
 ABSENT - **None**

EXECUTIVE SESSION – RESOLUTION NO. 2009 - 93

At approximately 9:05 P.M. the following Resolution was introduced to enter into closed session:

RESOLUTION NO. 2009 – 93

WHEREAS, Section 7 of the Open Public Meetings Act, Chapter 231 P.L. 1975 (R.S.10:4-13) permits the exclusion of the public from a meeting or a portion of a meeting of this public body in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

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

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1. The public shall be excluded from the meeting or a portion of a meeting at which this public body discusses the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

Contractual – Rentals
Contractual – Municipal Court

3. The time when the circumstances under which the discussions conducted in closed session of this public body can be disclosed to the public is as follows:

The minutes of the closed session will be made public upon conclusion, dismissal or settlement of litigation; or final resolution of agreements or personnel matters; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 13.

4. This resolution shall take effect immediately.
5. The Township Committee may take additional action upon returning to regular session.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the foregoing Resolution.

Roll Call Vote:	AYE	- Burke, Lubitz, Niemann
	NAY	- None
	ABSTAIN	- None
	ABSENT	- None

RETURN TO REGULAR SESSION

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to return to regular session at 9:35 P.M. **All** voted **Aye** on **Roll Call Vote**.

Melnyk Property

The Committee members discussed the home at the Melnyk Property. Deputy Mayor Burke suggested that the Township should sell the entire preserved farm with the house. He explained that Habitat for Humanity is no longer interested in the Melnyk property due to environmental constraints. There was a lengthy discussion on what the possibilities are for the property and the home. Mayor Niemann will ask Park Director Charles Wilson to secure the home until the Township decides what they decide.

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Diane Laudenbach will contact Jersey Central Power and Light to continue electric service. Deputy Mayor Burke noted that there is only one well right now on the property for the house, apt., and the Township Garage. He stated that the power comes from the house.

ADJOURNMENT

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adjourn the meeting at 9:45 P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

**Cynthia L. Keller, RMC
Deputy Clerk**