

2009 – 308

November 9, 2009

A Special Meeting of the Kingwood Township Committee was called to order at 8:00 A.M.

Also present at the meeting were Committeeman Lubitz, C.F.O. D. Laudenbach, Clerk MacConnell and Mr. Joseph Zdrodowski. Deputy Mayor Burke was absent. Following the salute to the Flag, Mayor Niemann read aloud the following:

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act by publication of the notice in the Express Times on November 6, 2009 and by telefaxing copies of the notice to the Hunterdon Democrat, Courier News and Star Ledger on November 5, 2009. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on November 5, 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 – 142 – Authorize Application for FEMA Repetitive Flood Claims Program for Block 51 Lot 46

The Committee members and C.F.O. Diane Laudenbach briefly discussed various costs, title searches, legal fees, administrative fees, market value and the appraisal. It was noted FEMA is looking at the property value pre-flood compared to after the flood.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2009 - 142

RESOLUTION TO AUTHORIZE EXECUTION OF GRANT APPLICATION FOR 167 BYRAM LANE

WHEREAS, the residential property located at 167 Byram Lane in the Township of Kingwood (the “Property”) was classified by the Federal Emergency Management Association (hereinafter FEMA) as a Severe Repetitive Loss (“SRL”) property in March of 2009 due to riverine flooding from the Delaware River on four (4) occasions in 1996, 2004, 2005, and 2006; and

WHEREAS, the repetitive flooding has caused significant damage to the property, including \$144,000 in damages paid by FEMA's National Flood Insurance Program ("NFIP"); and

WHEREAS, owners of the property, Joseph Zdrodowski and Florence Kirk have prepared an application for a Repetitive Flood Claims (RFC) Grant for 2010 from FEMA, which, pursuant to FEMA's rules for Grant application, must be submitted by Kingwood Township; and

WHEREAS, the Grant application requests that the FEMA Regional Administrator provide funding to enable the transfer of the Deed of the subject property, initially to Kingwood Township, but with the goal that the property would ultimately be transferred to the State of New Jersey as an acquisition to state parkland and for permanent maintenance responsibilities; and

WHEREAS, should the Grant be approved, one hundred percent (100%) of the funding for the proposed acquisition of the property would be paid by FEMA; and

WHEREAS, until transfer of any such Deed to the State of New Jersey, Kingwood Township would acquire title to the Property and would be responsible for administration responsibilities pursuant to any such Grant, including execution of applications, awards documents, funding agreements, quarterly reports, supervision of work during demolition, record keeping, and preparation and submittal of reimbursement requests and Grant closeout documents; and

WHEREAS, the SRL classification of the property makes the property ineligible for sale to another individual as a residence; and

WHEREAS, it is in the best interests of the citizens of the Township of Kingwood to remove residents out of the flood plain and to convert the property to park land, especially since it is immediately adjacent to the New Jersey Delaware and Raritan Canal State Park walking and bicycle paths, as well as the Bulls Island State Park Complex; and

WHEREAS, due to time constraints as to the submission of the grant application, immediate authorization is needed from Kingwood Township to execute the application documents, with the understanding that an ordinance will be later considered to enable actual acquisition of the Property.

NOW, THEREFORE, BE IT RESOLVED, The Mayor, the Clerk of the Township, the Chief Financial Officer, and any other proper official of the Township, be and each of them is hereby authorized to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary and proper for carrying out the transactions contemplated by this resolution.

It was moved by Mr. Lubitz, Mayor Niemann stepped down from the Chair, second and carried to adopt the foregoing Resolution.

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

Adjournment

It was moved by Mr. Lubitz, Mayor Niemann stepped down from the Chair, second and carried to adjourn the meeting at 8:15AM. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

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