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**December 1, 2009
Regular Township Committee
Meeting Minutes**

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

Also present at the meeting were Deputy Mayor Burke, Committeeman Lubitz, Attorney Kopen, Engineer T. Decker, C.F.O. 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.

Sale of Surplus Land – Block 50 Lot 9 – 7:00PM

Mayor Niemann noted the time was 7:00PM. She stated that all bids were to be submitted at this time, and all bids be brought forward to be opened. One bid was submitted, and given to the Township Attorney to open. The bid received was from RYMS Group, LLC, 102 Kingsclere Drive, Southampton, PA 18966, in the amount of \$81,500.00 for the property. A deposit has been submitted in the form of a cashiers check in the amount of \$8,150.00, which is 10% of the bid amount, as was required under the bid documents. Attorney Kopen noted that the bid appears to be in compliance with the bid documentation. She noted that there was a minimum bid price of \$80,000.00 and the bid is for \$81,500.00, therefore, the bid submitted has been compliant with the requirements, and is the only bid that has been received. The contract was then executed by the president of the business. Attorney Kopen noted that a fully executed copy will be sent to RYMS Group, LLC, when completed. Mr. Greg Crance from RYMS Group, LLC thanked the Township Committee, the Clerk and the C.F.O for all their help in making this all possible for him to obtain this property.

Sale of Surplus Dump Truck – 7:30PM

Mayor Niemann noted the time was 7:30PM, and called for all bids for the dump truck to be submitted at this time. Clerk MacConnell submitted all bids to Attorney Kopen to open.

Three bid proposals were submitted. Attorney Kopen opened the bids and read them aloud in this order.

- (1). Franks Auto Wreckers Inc., P.O. Box 175 Avenel, NJ 07001
Bid: \$777.00
- (2). Michael Ditchko, 375 Roycefield Road, Hillsborough, NJ 08844
Bid: \$510.00
- (3). Kocsis Farms, LLC, P.O. Box 157 Baptistown, NJ 08803
Bid: \$565.00

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to award the bid to Frank Auto Wreckers Inc. in the amount of \$777.00.

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

CORRESPONDENCE

Letter from NJ Water Supply Authority Director re: Letter of Resource Commitment

Mayor Niemann read aloud letter from the NJ Water Supply Authority Director. She asked Mr. Todd Kratzer, Senior Watershed Protection Specialist of the New Jersey Water Supply Authority’s Watershed Protection Unit, to come up and speak about the projects they will be working on in Kingwood Township. He explained that they have received notification from the NJ Department of Environmental Protection that the Lockatong and Wichechoke Creek Watersheds Restoration and Protection Plan has been reviewed and accepted, and that they have been awarded a Watershed Protection grant. He explained what kind of projects they are going to be doing. He stated that they go into the head waters of different water source areas and try to seek out several areas that could be contaminated, and do remediation projects. He noted that they are targeted for the 2010 319 funding grant. Mr. Kratzer explained that the plan would involve several towns within Hunterdon County, which consists of Delaware Township, Kingwood Township, Franklin Township and Raritan Township.

He explained that recommendations were submitted with the plan for fourteen different projects throughout these watersheds. He noted that out of fourteen, five of the projects were accepted. The funding came to \$950,000.00, which is available by June of 2010. He explained that two of the projects will be worked on in Kingwood Township. He explained that one is a remediation for a stormwater control at the Kingwood Township Park, second is a roadside drainage swale remediation project. He explained that this is training for educational programs for the entire State. Mr. Kratzer reviewed the process of the project and what is planned for Kingwood Township. Mr. Kratzer requested that the Township Committee submit a letter of resource of commitment, which states that they are interested and also agree that these projects be permitted.

It was noted that the Township Committee has appointed Sandra McNicol as the Township's Liaison for the projects.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to agree that the Township Committee sign a letter of resource commitment with suggested changes and additions in support of the projects.

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

Mayor Niemann noted that it has been quite a long time coming that these municipalities, and the N.J. Water Supply Authority have come together to agree that they will all target these projects. Mayor Niemann thanked Mr. Kratzer for his leadership in this project.

Letter from NJ Dept of Agriculture re: Gypsy Moth Egg Survey

Mayor Niemann reviewed the letter and noted that no spraying will be necessary this year.

Letter from Park & Rec. Member D. Hanley re: Dedicated Picnic Area

Mayor Niemann reviewed a thank you letter from D. Hanley.

Copy of Resolution from Boro of Metuchen re: Amend OPRA

The Committee members reviewed the resolution from Boro of Metuchen, and feel it is important to support this amendment.

RESOLUTION

The following Resolution was introduced:

**URGING LEGISLATION TO AMEND
OPEN PUBLIC RECORDS ACT**

RESOLUTION NO. 2009 – 148

WHEREAS, the Superior Court of New Jersey, in Grier v. Plumstead Twp. has interpreted the Open Public Records Act to require disclosure of e-mail addresses of citizens who have provided the same to the municipality solely for the purpose of receiving a public service “alert”; and

WHEREAS, the Kingwood Township Committee finds that the use of e-mail to alert the citizens of a municipality to emergent conditions is an important public service; and

WHEREAS, the citizens who sign up for such a service do so in expectation that the e-mail address provided will not be distributed or used for any other purpose; and

WHEREAS, the release of these addresses would have a chilling effect on public participation in such a program;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that the Legislature be urged and encouraged to immediately adopt remedial legislation amending the Open Public Records Act to include “e-mail addresses of individuals provided to a governmental entity for the purpose of receiving emergency notification” among the list of items excluded from public records subject to disclosure; and

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to the Legislators representing the Township of Kingwood in the State Assembly and State Senate.

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

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

Letter from Meals On Wheels In Hunterdon, Inc. re: Donation

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Mayor Niemann noted that Meals on Wheels is looking for volunteers and donations for those who may be interested.

Letter from Quakertown Volunteer Emergency Medical Services re:
Franklin Township

The Township Committee reviewed.

Resolution No. 2009-144 - 2009 Budget Appropriation Transfers

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2009 – 144

2009 BUDGET APPROPRIATION TRANSFERS

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 make the following transfers within the 2009 Budget Appropriations:

FROM ACCOUNT	TO ACCOUNT	AMOUNT
119-0400-300	119-0400-302	\$ 1300.00
119-0100-299	119-0800-299	\$2000.00
119-0652-299	119-0010-299	\$1000.00
119-1050-101	119-1050-299	\$1600.00
TOTAL TRANSFERRED:		\$ 5900.00

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

BILLS AND CLAIMS

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to approve and pay all bills and claims in the amount of **\$ 416,918.96** that are in order and attached as **Bill List** for **December** 2009.

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

MAYORS COMMENTS

Mayor Niemann wanted to take a moment to reflect on the last year and the many new exciting things that have happened in the Township. She noted that the Gergar Farm is now in the Township's hands. She explained that a resident of Kingwood Township past away a year ago named, Helen Gergar and left her farm of over a hundred acres to the Township. Mayor Niemann expressed that the preservation for Horseshoe Bend Road will make 2009 the biggest year ever for the Township for open space preservation. She expressed that open space is the way to go for Kingwood Township. She explained that this is due to a lot of environmental constraints. She noted that over fifty people volunteer many hours of their time for the Township to make this Township what it is today. Mayor Niemann thanked Deputy Mayor Jim Burke, and Committeeman Phil Lubitz for the great year while being the Mayor. She also thanked Clerk MacConnell, Deputy Clerk Keller, C.F.O. Laudenbach, and all the professionals for all of their hard work that they put into the Township.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

No Comments

REPORTS

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

- Tax Collector's Report of October 2009
- Budget Report
- Municipal Court Report of October 2009
- Construction Department Reports of October 2009
- Zoning Permits Report of November 2009

General Code Enforcement Report of November 2009

No Code Enforcement Report was submitted for this meeting. Mayor Niemann explained that Michael DeSapio has given a report regarding the Godown property.

Township Engineer's Monthly Report

Committeeman Lubitz asked Engineer Tom Decker questions regarding the County Waste Water Management Plan. Tom Decker replied, stating that the deadline has now been extended to May 31, 2010. Mayor Niemann commented that she spoke to the Pandy Family regarding the removal of the corn, and the possibility of the stakes the surveyors put on the property that may have been cut down. Farmer Mr. William Pandy was present at the meeting, and responded by stating he went out to the Ukarish property to took pictures of the stakes as a confirmation that they were still up and standing. The Committee members thanked Mr. Pandy for bringing in the pictures. Deputy Mayor Burke commented on the water problems along Warford Road, and the poor drainage due to no ditches on the road, which has caused damage to many properties. Mr. Burke confirmed with the Township's Engineer who was present that the permit that the Township has for cleaning permits from the NJDEP, would in fact cover the Township to put ditches in along Warford Road for stormwater drainage. Mayor Niemann thanked Mr. Burke, and Engineer T. Decker for taking care of that problem promptly.

Animal Control Report

NJSP Report

No Report submitted this month.

PAICF Report of Facilities and Playgrounds

Mayor Niemann briefly discussion the report. Deputy Mayor Burke reported that the Parks and Recreation Committee had taken care of the safety signs for the playground already. He will look into this and make sure they have been installed.

New Jersey League of Municipalities Conference in Atlantic City

Committeeman Lubitz reported on the League Conference held in November. He commented on researching Historical grants, and would like to speak to Historian Sal DeSapio and Mildred Wehr.

FUTURE MEETINGS AND ACTIVITIES

Mayor Niemann reviewed as per the Agenda. She noted that there will be a container to drop off computers, and computer accessories at the recycling date on Saturday, December 12, 2009.

Mayor Niemann asked everyone to mark the date for the Township’s Reorganization Meeting scheduled for January 14, 2010 at 6:00PM, and the Regular Township Committee meeting following at 7:00PM.

ORDINANCES

ORDINANCE NO. 15-12-2009 AMENDING CHAPTER 71-3, UNIFORM CONSTRUCTION CODES FEE SCHEDULE – 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 November, 2009. The Ordinance was published in the Hunterdon County Democrat on November 19, 2009 and has been posted in the Kingwood Township Municipal Building on November 3, 2009. Copies of the Ordinance have been available for inspection by the public since November 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: No Comments

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. Lubitz, seconded by Mr. Burke and carried to adopt on final reading **ORDINANCE NO. 15-12-2009 AMENDING CHAPTER 71-3, UNIFORM CONSTRUCTION CODES FEE SCHEDULE.**

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

ORDINANCE

ORDINANCE NO. 15-13-2009 AMENDING ORDINANCE NO. 14-23-2007 PROVIDING FOR THE ACQUISITION OF OPEN SPACE BY THE TOWNSHIP, APPROPRIATING \$2,198,605.50 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF – Public Hearing and Final Adoption

This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on the 16th day of November, 2009. The Ordinance was published in the Hunterdon County Democrat on November 19th, 2009 and has been posted in the Kingwood Township Municipal Building on November 17th, 2009.

Copies of the Ordinance have been available for inspection by the public since November 17th, 2009.

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

Public Comments:

Deputy Mayor Burke - Commented that the Township is not spending \$2,198,605.50. He explained that the Township is adopting this ordinance so that the Township can accept 1.2 million dollars from the State, and add Township funds to preserve this property.

Jack MacConnell, Spring Hill Road – Thanked the Township Committee very much for working so hard to preserve this property.

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. 15-13-2009 AMENDING ORDINANCE NO. 14-23-2007 PROVIDING FOR THE ACQUISITION OF OPEN SPACE BY THE TOWNSHIP, APPROPRIATING \$2,198,605.50 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.**

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

RESOLUTIONS

Resolution No. 2009-145 - Approval of Claims Procedure

Mayor Elaine Niemann explained that this resolution was a new procedure that the Township Committee members would be following to save a lot of time. She stated that the Township's C.F.O. will prepare a bill list as well as vouchers for inspection, and upon doing this each committee person will sign a bill list.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2009 – 145

APPROVAL OF CLAIMS PROCEDURE

WHEREAS, the Township Committee is desirous of approving the bills and claims by affixing their signatures on the bills and claims list each month.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, beginning with the December 2009 bills and claims list, two Township Committee members' signatures will be affixed to the bill list rather than on the individual vouchers for Township Committee approval of the bills and claims presented for payment each month. The signed bills and claims list will be attached to the approved minutes.

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

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

Resolution No. 2009-146 - FY 2007 Recycling Tonnage Grant

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2009 - 146

**APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:4-87)**

FISCAL YEAR 2007 RECYCLING TONNAGE GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood, in the County of Hunterdon, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$2,535.33, which item is now available as a revenue from the State of New Jersey, as a reimbursement to Kingwood Township in the amount of \$2,535.33.

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BE IT FURTHER RESOLVED that the like sum of \$2,535.33 is hereby appropriated under the caption 2007 Recycling Tonnage Grant; and

BE IF FURTHER RESOLVED that the above is a result of a grant of \$2,535.33 from the State of New Jersey.

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

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

NEW BUSINESS

Seasonal Employee for Snow Plowing

Clerk Mary MacConnell noted that there was one application submitted. The application was from Mark Hendrickson, who was the hired employee last year for the seasonal snow plowing for 2008. The Township Committee briefly discussed the application.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to hire Mark Hendrickson for part-time as needed only for seasonal snow plowing for the 2009-2010 year.

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

County Municipal Grant Program Funds for 2008

The Township Committee briefly reviewed.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2009 – 149

**HUNTERDON COUNTY MUNICIPAL GRANT
PROGRAM ALLOCATION**

WHEREAS, the Township of Kingwood has been allocated an amount in the Hunterdon County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Municipal Grants Program for the year 2008;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey to request the County to bank and reserve the funds allotted in the year 2008 of \$32,136.93 in the Municipal Grant Program for the Township’s pending application to preserve Block 14 Lots 28.02 and 30 in the Township.

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

Vote to Adopt New OPRA “Government Records Request Form”

The Committee members briefly reviewed and discussed new OPRA Form. Clerk MacConnell explained the changes.

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to adopt the use of the new OPRA Government Records Request Form as requested by the State.

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

Schedule End of Year Meeting – Payment of Bills, Salary Ordinance

The Committee members discussed a date for the end of the year business. A Special Meeting of the Township Committee will be scheduled on Monday, December 21, 2009 at 5:30 PM.

Kingwood Basketball League – Request for Waiver of Fees

The Committee members discussed the process for obtaining temporary health permits with Board of Health Secretary Diane Laudenbach, regarding fees. There was a question whether they need them if they are selling prepared packaged food or just cooked food.

Diane Laudenbach responded by stating that the County Board of Health does not charge for non-profit organizations. There was also a question of whether or not the Township could waive the fee for the Basketball League.

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to waive temporary health permit fee in the amount of \$25.00 for the Kingwood Basketball League, pending the approval from the school that they may sell their items.

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

Deer Carcass Removal Services

Mayor Niemann briefly reviewed the information from the County. The information is to inform all municipalities of the current contact and pricing for deer removal. The cost is \$58.00/per carcass for weekdays and weekends.

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to approve to use the Deer Carcass Removal vendor from Cream Ridge NJ, for the pickup of dead deer carcasses on the Township roads.

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

Archives

Mayor Niemann explained that she has spoken to the Township's Construction Official and he feels that it has become extremely difficult keeping so many old files in the office, while trying to manage the open new files at the same time. Mark Fornaciari suggested to store the old files up in the Township Garage upper level, and to color code the files to find them more efficiently. Mayor Niemann stated that this will be done in the near future.

Reminder of Reorganization Meeting for Township Committee

Mayor Niemann noted that the date for the reorganization meeting is scheduled for January 14, 2010. She would like all the secretaries for the Committees, Commissions and Boards to add to their Reorganization meeting agendas, a reminder to set aside 20 to 30 minutes for a municipal orientation.

DPW – Budget Matters Mtg. with C.F.O

Deputy Mayor James Burke will be meeting with C.F.O. Laudenbach, and the D.P.W. to review purchasing and budgeting procedures to keep track of the yearly expenditures.

OLD BUSINESS

Possible Dates for Ethics Seminar

Committeeman Phil Lubitz noted that he has been in contact with a representative from D.L.G.S. in regard to speaking to the Township's employees, Volunteer members to committees and boards, D.P.W., and other officials on topic of Ethics. The Committee members discussed a time that would be best for everyone. The times for a seminar will be scheduled from 10:00AM – 12:00PM. Committeeman Lubitz will be in contact with the representative from the State to schedule a date in January 2010.

Banking Proposals

C.F.O. D. Laudenbach noted that she received three bids. They were from Skylands Bank, TD Bank and Commerce Bank. She explained that they all have the same type of service, but that Skylands Bank still offers the lowest interest rate.

Gergar Farm

Mayor Niemann noted that the Township has now officially bequest the Gergar Farm. She noted that there will be more discussion regarding the farm in 2010.

Solar Panel Grant – Bidding Process for the Work

Mayor Niemann explained that Engineer Tom Decker has been very responsive assisting with the bid process for the solar panels for the Township Garage. David Posey a resident of the Township has offered to help with the bidding process for the work. He has prepared a draft for installation of solar panels for the Township Garage. Tom Decker was present and explained all the details of what needs to be prepared to start the bid process.

Greenhouse Gas Grant

Committeeman Lubitz explained that the Township was anticipating that the N.J.D.E.P. meet their extended deadline for responding, which they have not done so at this time. He noted that the Township has not heard if it had been excepted for round one, before moving on to round two.

Executive Session – Resolution No. 2009 – 147

The following Resolution was introduced to enter into closed session at approximately 8:30PM.

RESOLUTION NO. 2009 – 147

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:

- 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.

- 1. The general nature of the subject matter to be discussed is as follows:

**Litigation – Bunker Hill Homes, Inc.
Contractual - Review of Township Professionals’ Fees
Review Release of Executive Session Minutes**

- 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. Burke, seconded by Mr. Lubitz and carried to return to regular session at 9:15 P.M. **All voted Aye on Roll Call Vote.**

Release of Executive Session Minutes

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to release the following Executive Session Minutes as per the Township Clerk’s notes as reviewed:

- | | |
|-------------------------------------|----------------------------------|
| January 7, 2008 Exec. Session | January 6, 2009 Exec. Session |
| February 4, 2008 Exec. Session | February 3, 2009 Exec. Session |
| April 9, 2008 Exec. Session | February 25, 2009 Exec. Session |
| May 6, 2008 Exec. Session | March 3, 2009 Exec. Session |
| June 2, 2008 Exec. Session | April 7, 2009 Exec. Session |
| July 1, 2008 Exec. Session | May 5, 2009 Exec. Session |
| August 11, 2008 Exec. Session | May 21, 2009 Exec. Session |
| September 2, 2008 Exec. Session | June 1, 2009 Exec. Session |
| October 7, 2008 Exec. Session | July 2, 2009 Exec. Session |
| November 3, 2008 Exec. Session | August 4, 2009 Exec. Session |
| December 2, 2008 Exec. Session | August 25, 2009 Exec. Session |
| December 30, 2008 Executive Session | October 6, 2009 Exec. Session #1 |
| | October 6, 2009 Exec. Session #2 |

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

The following matters were not released from the above listed Executive Session Minutes: Michalenko, Moskal, and Skylark Island. These sections are not available for public review until they are released by the Township Committee.

Appointments for 2010

Mayor Niemann noted that the appointments for 2010 will be discussed at a Special Meeting Scheduled for Monday, December 21, 2009. She will contact the current volunteers to see if they would be interested in continuing. Clerk MacConnell will obtain a volunteer form from the State for all the volunteers to fill out.

MINUTES

November 2, 2009 Regular Meeting

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to adopt the November 2, 2009 Regular Township Committee Meeting Minutes.

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

November 2, 2009 Executive Session (7:10PM-7:50PM)

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to adopt the November 2, 2009 Executive Session Meeting Minutes 7:10PM – 7:50PM.

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

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

November 2, 2009 Executive Session (9:55PM-10:10PM)

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to adopt the November 2, 2009 Executive Session Meeting Minutes 9:55PM – 10:10PM.

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

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

November 9, 2009 Special Meeting

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the November 9, 2009 Special Township Committee Meeting Minutes.

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

November 16, 2009 Special Meeting

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the November 16, 2009 Special Township Committee Meeting Minutes.

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

The following Minutes for 2004 were introduced for adoption:

June 1, 2004 Regular Meeting
June 1, 2004 Executive Session
June 7, 2004 Special meeting
June 14, 2004 Special Meeting
July 2, 2004 Special Meeting
July 2, 2004 Executive Session

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to adopt the foregoing minutes for June 1, 2004 through July 2, 2004.

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.

ADJOURNMENT

It was moved by Mr. Burke, seconded by Mr. Lubiz and carried to adjourn the meeting at 9:25P.M. All voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

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