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**December 21, 2009
Township Committee
Special Meeting Minutes**

A Special Meeting of the Kingwood Township Committee was called to order at 5:45 P.M. with Deputy Mayor James Burke.

Also present at the meeting were Committeeman Lubitz, C.F.O. Laudenbach, Clerk MacConnell, Deputy Clerk Keller and Mayor Niemann arrived at 6:00 P.M. Following the salute to the Flag, Deputy Mayor James Burke 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 December 17, 2009 and by telefaxing copies of the notice to the Express Times and Star Ledger on December 17, 2009. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on December 15, 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. 2009-151 – 2009 Budget Appropriation Transfers

The following Resolution was introduced:

RESOLUTION NO. 2009 – 151

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:

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FROM ACCOUNT	TO ACCOUNT	AMOUNT
119-0007-299	119-0007-101	20.00
119-1050-101	119-1300-400	500.00
119-0150-299	119-0150-101	400.00
119-0004-003	119-0650-299	1650.00
119-0550-299	119-0651-299	3000.00
119-0652-299	119-0651-299	1231.00
119-0652-299	119-0650-299	2500.00
119-1050-101	119-0800-299	500.00
119-1050-101	119-1050-299	100.00
119-1050-101	119-0050-299	1000.00
TOTAL TRANSFERRED:		10901.00

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

BILLS AND CLAIMS

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to approve and pay all bills and claims in the amount of **\$ 1,012,159.03** that are in order and attached as **Bill List** for **December** 2009.

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

RESOLUTION

Resolution No. 2009-150 – Tax Sale Redemption Bl 34 L 11

The following Resolution was introduced:

RESOLUTION NO. 2009 – 150

TAX SALE REDEMPTION

WHEREAS, the Tax Collector has received redemption monies in the amount of \$6,640.61 to redeem Tax Sale Certificate No. 2009-11 on Block 34, Lot 11.

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 \$6,640.61 to Plymouth Park Tax Services, PPTS Lockbox, P.O. Box 5822, New York, New York, 10087-5822 for the redemption of Tax Sale Certificate No. 2009-11, and

BE IT FURTHER RESOLVED, that the Chief Financial Officer be authorized to issue a check in the amount of \$4,200.00 as a refund of the premium paid at the time of the sale.

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

Resolution No. 2009-153 – Authorizing Execution of Agreement with HLTA for Bl 24 L 14.01

The following Resolution was introduced:

RESOLUTION NO. 2009 – 153

**AUTHORIZING EXECUTION OF AGREEMENT
WITH HUNTERDON LAND TRUST ALLIANCE
FOR BLOCK 24, LOT 14.01**

WHEREAS, the TOWNSHIP OF KINGWOOD, a municipal corporation (the “TOWNSHIP”) with its municipal offices located at 599 Oak Grove Road and Route 519, Frenchtown, New Jersey 08825 and a mailing address of PO Box 199, Baptistown, NJ 08803 wishes to acquire the assignment of an interest in Block 24, Lot 14.01 currently held by HUNTERDON LAND TRUST ALLIANCE (the “HLTA”), a nonprofit conservation organization, with its principal office located at 56 Main Street, Suite 2E, Flemington, New Jersey 08822; and

WHEREAS, the HLTA holds an agreement to purchase Block 24, Lot 14.01 as shown on the Municipal Tax Map of the Township of Kingwood, Hunterdon County (the “Subject Property”), consisting of approximately 33 ± acres, for consideration in the sum of \$399,100; and

WHEREAS, the fair market value of the Subject Property was established by professional appraisals conducted by Federal Appraisal & Consulting LLC, Whitehouse Station, NJ and Tom Rodriguez Associates of Stockton, NJ and the values as therein established have been reviewed and certified by the New Jersey Department of Environmental Protection (the “NJDEP”); and

WHEREAS, HLTA has conducted initial due diligence and a Phase 1 environmental study of the Subject Property and has represented to the Township that the Subject Property is in satisfactory condition and free and clear of any environmental contamination and liability, subject to the review and approval by the Township; and

WHEREAS, HLTA has caused a survey of the Subject Property to be prepared by a New Jersey licensed land surveyor for purposes of verifying the exact marketable and insurance acreage of the Subject Property and said survey was forwarded to the NJDEP for review and certification; and

WHEREAS, HLTA wishes to assign an interest in the aforementioned agreement to the Township and further wishes to coordinate with and assist the Township in acquiring the Subject Property and in obtaining funds from the State of New Jersey and County of Hunterdon for the benefit of the Township; and

WHEREAS, Hunterdon County wishes to contribute 20% of the purchase price or \$79,820 towards the purchase price through a nonprofit grant awarded to HLTA; and

WHEREAS, the Township desires to acquire the Subject Property for open space purposes with the cooperation and assistance of the HLTA, State and County, provided that the Township receives no less than \$399,100 to fund the purchase price by closing of title; and

WHEREAS, subject to the Township’s receipt of State and/or County Green Acres and/or Open Space funds, the HLTA and Township have reached an understanding for the Township to contribute \$99,775.00 of Green Acres funds plus \$119,730 in local open space funds towards the purchase price and for HLTA to contribute \$99,775.00 of Green Acres funds plus \$79,820 of Hunterdon County nonprofit grant funds towards the purchase price.

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

The Mayor and Clerk and/or Chief Financial Officer of this Township are authorized to sign the agreement with HLTA regarding accepting the assignment of interest in the purchase of Block 24, Lot 14.01 as shown on the Municipal Tax Map of the Township of Kingwood, Hunterdon County pursuant to the Agreement attached hereto as Exhibit A and subject to the abovementioned limitations or restrictions, and to sign any and all other documents necessary for the transactions contemplated by the Agreement as to the Subject Property.

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

Old Fairview School Winter Closing Schedule

Deputy Mayor Burke noted that there was discussion at the last Parks and Recreation Committee meeting regarding the possibility of the Old Fairview School closing, due to astronomical heating costs in the winter months, but has now decided they are not going to close the building at this time. He explained that there are many organizations that use the building that have tampered with the heating element by leaving the heat on all day and night, therefore, he has decided to put a programmable thermostat in the building to manage the temperature.

Recreational Uses at Kingwood Park

Clerk MacConnell reported on a call she received from a resident regarding quads at the Kingwood Park grounds, and inquired if they were permitted or not. She explained that she told the gentleman that the Township Committee were having a meeting this evening and that she would talk to them to see if there is anything that can be done.

Committeeman Phil Lubitz commented on what information that he had heard about the incident. The Committee members stated that they will inform the Park Director on the situation, but they do not have any means of enforcing them to stop.

Letter from Hunterdon County Freeholders re: Participation in County Recycling Plan – Response requested by 12/31/2009

Mayor Niemann reported that the County would like the Township to send a written response before the end of the year, informing them whether the Township would like to participate in the shared County Recycling Plan or not. Mayor Niemann reported that she has attended several of the SWAC meetings, where she obtained more information on the plan. She explained that she feels this would not be useful to Kingwood Township. Mayor Niemann noted that she, and the Townships Recycling Coordinator Cynthia Niciecki went to the recycling center in Franklin Township in Hunterdon County. They spoke to Allan Dilly, who is Franklin Townships Road Department Supervisor and certified Recycling Coordinator. She stated that he is willing to work with Kingwood Township and help us by signing off our tonnage report, which has been approved by the Franklin Twp. Committee members.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to approve that the Clerk of the Township of Kingwood respond by letter to the Freeholders and inform them that the Township will manage on their own with the help of the Franklin Twp. Recycling Coordinator. **All voted Aye on Roll Call Vote.**

Deputy Mayor Burke asked George Kurenknable the Township's Court Security Guard, who was present at the meeting, how things were going in the Court. Mr. Kurenknable responded and stated that everything was going well and very quiet. He noted that he has no problem with the shared court with Milford.

New Year's Eve Municipal Building Hours

Mayor Niemann noted that the hours for the Municipal Employees for New Years Eve will be that they will be allowed to leave at 12:00 noon, on Thursday, December 31, 2009.

Review Reorganization Meeting Resolutions

The Committee members reviewed dates and times of the Township meetings for 2010. They also reviewed quotes for a local newspapers to be chosen for 2010 advertising. Committeeman Phil Lubitz requested that everyone who serves on all the committees, commissions, and boards receive an invitation to the reorganization meeting on January 14, 2010.

MINUTES

December 1, 2009 Regular Meeting

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the December 1, 2009 Regular Township Committee Meeting Minutes.

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

December 1, 2009 Executive Session

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt the December 1, 2009 Executive Session Meeting Minutes.

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.

Public Works to Do Repair Work on Horseshoe Bend Road

Committeeman Lubitz reported speaking with a Committeeman from Frenchtown Boro, who is the liaison for their Road Department. He stated that they will be willing to allow Kingwood Township's Public Works Department work on the road that is in Frenchtown Boro on Horseshoe Bend Road, and reimburse the Township for the cost. The road needs a lot of work at the end of Horseshoe Bend near Route 12. Deputy Mayor Burke will contact the liaison for Frenchtown Boro to make arrangements for the work to be done.

Excellent Response from the Township's Volunteer Fire Co. and Rescue Squad

Committeeman Phil Lubitz reported on a snowmobile accident that occurred on Tumble Idell Road Saturday evening December 18th, during the big snow storm. He explained that the response from the Township's Volunteer groups were truly great, and also commended the Township's Public Workers who plowed out the roads so that the ambulance could get to the accident to help the victims.

Greenhouse Grant Update

Committeeman Phil Lubitz reported that the grant is on hold until the new administration comes into office.

COAH Update

Committeeman Lubitz noted that he and the Mayor received an e-mail from COAH requesting additional information, which has been forwarded to the Township's Planner David Banisch. He explained that the Township has until February 14th, 2010 to respond to COAH. Mr. Lubitz explained that there was a walk through the Melynk home with Community Hope to see if it would be a prospective project for them to use for COAH units. He explained that Community Hope could use matching funds if the Township were to donate the land.

Solar Panels

Mayor Niemann explained that the Township has bid specs together for the solar panels for the Municipal Garage. She noted that the Township was supposed to submit a signed contract back by the end of 2009, therefore, the Township needed an extension of time, which Clean Energy has agreed to give the Township a couple of weeks longer. Clerk MacConnell discussed the timing of the advertisement for the solar bids. There was also a discussion with C.F.O. Laudenbach for the funding for the award. A notice to bidders will be published in the Courier News on December 28, 2009, and on December 31, 2009 in the Hunterdon County Democrat. The Committee members decided the Ordinance will be introduced at a Special Township Committee meeting on January 4th at 9:00A.M., and a Special Township Committee meeting on January 19th for a public hearing and final adoption of the ordinance at 8:00A.M. The Committee also scheduled a Special Meeting to receive the bids on January 12th, 2010, and a Special Meeting to award the bid for the installation of the Solar Panels on Wednesday, February 10th, at 5:00P.M.

Public Comment – Privilege of the Floor

Lori Sabat, Warsaw Road Asked about the property being preserved on Horseshoe Bend Road and why it was such a high price per acre. Deputy Mayor Burke responded.

Executive Session – Resolution No. 2009 – 152

The following Resolution was introduced to enter into closed session at approximately 7:05 PM.

RESOLUTION NO. 2009 – 152

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

Personnel – Various 2010 Positions and Salaries

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 7:40 P.M. **All** voted **Aye** on **Roll Call Vote**.

Review of 2010 Salary Ordinance

Rice Notices were sent to the following employees that requested to be discussed during open session:

Traci Fleming	- Dog License Official, A.C.O.	
George Kurzenknabe	- Court Security Guard	
Tracy Miller	- Court Assistant	
Mary Mott	- Court Prosecutor	
John Petronko	- Court Judge	
William Sidote	- Code Enforcement Officer	(No response)

Mayor Niemann announced that the Committee members decided to hold salaries to the rate they are currently receiving in 2009 until the end of the first quarter, except for the contracted employees. The salaries will then be reviewed. She explained that the Township is very concerned about its financial future, and is not secure with the cuts of State funding and also the extremely high increase of health insurance costs.

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to hold employees salaries with no increases until reviewed after the end of the first quarter and for the Union salaries to follow their contract at it is noted.

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

Professional Service Contract Terminated

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to terminate the Professional Services Agreement with Jeff Scott of 1868 Public Affairs.

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

Salary Reduction

Mayor Elaine Niemann noted that the Township's Court Prosecutor is willing to allow Kingwood Township to reduce her salary pay rate from \$11,620 to \$10,000, due to not having the expense of driving to another court facility, and obtaining additional funds from Milford Boro. The Committee members all agreed to accept Mary Motts offer.

Appointments to Commissions and Committees, and Boards

The Committee members reviewed the openings that needed to be filled on the Commissions, Committees and Boards to be filled for the year 2010.

Adjournment

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adjourn the meeting at 8:00PM. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

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