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**January 14, 2010  
Regular Township Committee  
Meeting Minutes**

A Regular Meeting of the Kingwood Township Committee was called to order at 7:14 P.M. with Mayor Burke presiding.

Also present at the meeting were Deputy Mayor Lubitz, Committeewoman Niemann, Attorney Judith Kopen, Engineer Thomas Decker, C.F.O. D. Laudenbach, Deputy Clerk Brown and Clerk MacConnell. Following the salute to the Flag, Mayor 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 Democrat and Courier News on January 7, 2010 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 5, 2010. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 5, 2010.**

**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.**

**MUNICIPAL ORIENTATION**

This will be conducted at the February 10, 2010 Township Committee meeting.

**COORESPONDENCE**

Letter from Resident E. Kelly re: Animal Control Officer

Mayor Burke reviewed.

Letter from US Census Bureau re: Use of Municipal Building

Clerk MacConnell explained that the US Census Bureau would like to get permission to us the Township's Municipal Building upstairs facility for training purposes. There were no objections from the Committee members.

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Copy of Resolution re: Amend OPRA

The Committee members reviewed. They would like more time to look over the resolution. This will be on next month's meeting agenda to make a decision whether to support this resolution.

**Resolution No. 2010-05 - 2009 Budget Appropriation Transfers**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2010-05**

**2009 BUDGET RESERVE 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 Reserve Appropriations:

<b>FROM ACCOUNT</b>	<b>TO ACCOUNT</b>	<b>AMOUNT</b>
119-0450-101	119-0010-299	500.00
119-0400-302	119-0050-299	500.00
119-0400-302	119-0010-299	500.00
119-0650-299	119-0651-299	200.00
119-0450-101	119-0050-299	100.00
<b>TOTAL TRANSFERRED:</b>		<b>1800.00</b>

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

**Roll Call Vote:**

<b>Aye</b>	<b>- Lubitz, Niemann, Burke</b>
<b>Nay</b>	<b>- None</b>
<b>Abstain</b>	<b>- None</b>
<b>Absent</b>	<b>- None</b>

**BILLS AND CLAIMS**

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to approve and pay all bills and claims in the amount of \$1,686,354.51 that are in order and attached as **Bill List** for **January** 2010.

<b>Roll Call Vote:</b>	<b>Aye</b>	<b>- Lubitz, Niemann, Burke</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

Oath of Office for Cynthia Niciecki

Mayor Burke suggested that Cynthia Niciecki be sworn into office. Cynthia Niciecki was sworn in by Clerk Mary MacConnell. Mrs. Niciecki will be starting a new term as the Townships Clean Community Coordinator, the Townships Swac Representative, and a new three year term as a member on the Agriculture Advisory Committee. The Committee members thanked Cindy for all her time and support volunteering for the Township.

**PUBLIC COMMENT - PRIVILEGE OF THE FLOOR**

Committeewoman Niemann recused herself from the Township Committee at this time.

Bruno Casuscelli/Pascual Casuscelli, Galleria Construction Commented on a site plan application they submitted to the Planning Board for pods for storage containers on Route 12. They were present to ask the Township Committee if an ordinance could be amended to allow this type of business in the Township. They explained that they have not applied to the Board of Adjustment yet. They also explained in details of the type of business and what would be involved. Engineer Thomas Decker was present at the meeting, and also present at the Board of Adjustment meeting, which he gave his comments regarding the B.O.A. meeting. Attorney Kopen explained the process of amending an ordinance, and that it would take two months for it to be finalized.

Committeewoman Elaine Niemann returned to the Committee seat.

**REPORTS**

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

- Tax Collector's Report of November 2009 & December 2009
- Budget Report
- Municipal Court Report of November 2009
- Construction Department Reports of November 2009 and December 2009

Zoning Permits Report of December 2009  
General Code Enforcement Report of November 2009 & December 2009  
Township Engineer's Monthly Report

The Committee members reviewed Engineer's Report. They discussed the (DRJTBC) Delaware River Joint Toll Bridge Commission application for funds. Engineer Tom Decker who was present, explained that the Township is eligible for funding. He explained that it is a fully funded program including costs for survey, engineering and construction and may be applied similar to an NJDOT force account. He noted the roads and the potential improvements as discussed with Public Works Supervisor Jack Search include the following:

Fairview Road – Intersection Improvement & Widen 300 LF  
Kingwood Station Road – 3,080 LF pavement overlay  
Warsaw Road – 4,780 LF pavement overlay  
Tumble Idell Road – 1,700 LF of full road construction to 18 ft.  
Tumble Falls Road – 3,880 LF of widening, overlay drainage and guiderail.  
Stompf Tavern Road – 6,140 of full road construction

Mr. Decker explained that the application would be made for one or two roads with total available funds anticipated in the range of \$150,000 to \$200,000. He asked the Committee members for direction regarding the six roads listed. He reviewed what work could be done on each road. He noted that if the application is submitted, and then acted on at the Townships February meeting, the money would be a good until the end of the year. Mr. Decker also reviewed the additional items on his report. There was also a discussion on the bids that were received for the solar panels and what has been done, along with dates and times for awarding the bid.

NJSP Report  
Update on Preservation Project – Deer Run & Equestrian Village

Mayor Burke gave an update of the above preservation project.

### **FUTURE MEETINGS AND ACTIVITIES**

Mayor Burke reviewed as per the Agenda.

### **ORDINANCES**

**ORDINANCE NO. 16-02-2010 AN ORDINANCE FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP** - Introduction and Adoption on First Reading

Mayor Burke read the Ordinance aloud which was introduced.

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to adopt on first reading **AN ORDINANCE FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP.**

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Burke, Lubitz, Niemann</b>
	<b>NAY</b>	<b>- None</b>
	<b>ABSTAIN</b>	<b>- None</b>
	<b>ABSENT</b>	<b>- None</b>

**Consideration of final adoption at a public hearing is scheduled for Wednesday, February 10, 2010 at a meeting beginning at 5:00 P.M. at the municipal building.**

**ORDINANCE**

**ORDINANCE NO. 16-03-2010 AN ORDINANCE TO AMEND CHAPTER 24, BOARD OF HEALTH, MEMBERSHIP OF BOARD** - Introduction and Adoption on First Reading

Mayor Burke read the Ordinance aloud which was introduced.

Committeewoman Niemann noted in the past there has been difficulty getting an adequate number of members to attend the Board of Health Meetings. She noted that this is particularly during the summer months when the well testing activities are at its height, and thought it may be helpful to increase the members to seven. This may be beneficial in two respects, to bring in additional expertise to the Township, and to have less trouble gathering a quorum for monthly meetings in the summer months when it is so busy. Attorney Kopen explained that the Township could retool the ordinance to be what is called a seven flex with two alternate members. This means to stay with five members, adding two alternates to the Board of Health. Attorney Kopen explained how the ordinance would be written.

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to adopt on first reading **AN ORDINANCE TO AMEND CHAPTER 24, BOARD OF HEALTH, MEMBERSHIP OF BOARD**, as stated with the changes.

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Burke, Lubitz, Niemann</b>
	<b>NAY</b>	<b>- None</b>
	<b>ABSTAIN</b>	<b>- None</b>
	<b>ABSENT</b>	<b>- None</b>

**Consideration of final adoption at a public hearing is scheduled for Wednesday, February 10, 2010 at a meeting beginning at 5:00 P.M. at the municipal building.**

**RESOLUTIONS**

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The following Resolution was introduced:

**RESOLUTION NO. 2010 – 06**

**PUBLIC WORKS DEPARTMENT SALARIES FOR 2010**

**WHEREAS**, Ordinance No. 16-02-2010 contains the Salary Range for the Public Works Employees for the year 2010;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the following salaries are established for the year 2010:

Mark Petro	\$ 32.86
Walter Cotier	\$ 28.96
Ryan Osborne	\$ 28.96
Michael Ewing	\$ 28.96
Seasonal Part-Time	\$ 20.00

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

<b>Roll Call Vote:</b>	<b>Aye</b>	<b>- Lubitz, Niemann, Burke</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2010 - 07**

**RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR TOWNSHIP PROFESSIONALS**

**WHEREAS**, the Township of Kingwood has a need to acquire professional services of Township Professionals as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

**WHEREAS**, the Township Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500, excepting the position of Bond Counsel, which shall not exceed \$17,500; and,

**WHEREAS**, the anticipated term of these contracts is one year(s); and

**WHEREAS**, each of the Township professionals set forth below in Paragraph No. 1 has submitted a proposal indicating they will provide the professional services described below in Paragraph No. 1 for the amount set forth in each submitted proposal; and

**WHEREAS**, each of the Township professionals set forth in Paragraph No. 1 below has completed and submitted a Business Entity Disclosure Certification which certifies that each Township Professional has not made any reportable contributions to a political or candidate committee in the Township of Kingwood in the previous one year, and that the contract will prohibit the Township professionals from making any reportable contributions through the term of the contract, and

**WHEREAS**, a certification of availability of funds, specifying the line item appropriation(s) to be charged as to each contract set forth below in Paragraph No. 1 has been provided by the Chief Financial Officer of the Township of Kingwood.

**NOW THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Kingwood authorizes the Mayor and Clerk, to enter into contracts with the Township Professionals as described below;

Professional	Position	Term of Contract
Judith A. Kopen, Gebhardt & Kiefer, P.C.	Township Attorney	One year
David R. Pierce	Planning Board Attorney	One year
David R. Pierce	Zoning Board of Adjustment Attorney	One year
Thomas R. Decker, Van Cleef Engineering Associates	Township Engineer	One year
William Colantano	Township Auditor	One year
David Banisch	Township Planner	One year
Andrea L. Kahn	Township Bond Counsel	One year
Vincent Uhl	Township Hydrogeologist	One year

2. A copy of this resolution shall be published in the Hunterdon County Democrat and the Courier News as required by law, within ten days of its passage.

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

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**Roll Call Vote:**

<b>Aye</b>	<b>- Lubitz, Niemann, Burke</b>
<b>Nay</b>	<b>- None</b>
<b>Abstain</b>	<b>- None</b>
<b>Absent</b>	<b>- None</b>

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2010 – 08**

**REFUND OF PRE-PAYMENT OF REAL ESTATE TAXES**

**WHEREAS**, Block 90, Lots 1.01 and 1.02 were successful in a tax appeal for 2008 Real Estate Taxes, and

**WHEREAS**, the credits from the appeal were applied to the third and fourth quarter of 2009, and

**WHEREAS**, the property owner also paid the billed amounts for the third and fourth quarter of 2009, which were applied to the first, second and third quarter of 2010, and

**WHEREAS**, the property owner has requested a refund of the pre-payment of the 2010 taxes in the following amounts:

Block 90, Lot 1.01 - \$34,745.64  
Block 90, Lot 1.02 - \$53,464.34

**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 Chief Financial Officer be authorized to refund the pre-payment to Buckeye Partners, LP, Five TEK Park, 9999 Hamilton Boulevard, Breinigsville, Pennsylvania, 18031.

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

**Roll Call Vote:**

<b>Aye</b>	<b>- Lubitz, Niemann, Burke</b>
<b>Nay</b>	<b>- None</b>
<b>Abstain</b>	<b>- None</b>
<b>Absent</b>	<b>- None</b>

**RESOLUTION**

The following Resolution was introduced:



RESOLUTION NO. 2010 – 09

**DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION  
APPLICATION FOR COMPACT AUTHORIZED INVESTMENT**

**WHEREAS**, the Kingwood Township Committee has reviewed the matter of applying for a grant from the Delaware River Joint Toll Bridge Commission (DRJTBC) with the Township Engineer;

**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 Township Engineer, Thomas Decker, PE, PP, CME of Van Cleef Engineering Associates to prepare and submit an application to the DRJTBC which will provide funding for paving of a Township Road that intersects State Highway 29, which is adjacent to the Delaware River and various bridges.

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

<b>Roll Call Vote:</b>	<b>Aye</b>	<b>- Lubitz, Niemann, Burke</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

**RESOLUTION**

The following Resolution was introduced:

**Resolution No. 2010-10 - Boy Scout Michael Muller**

**Resolution No. 2010- 10**

**Whereas Kingwood Township Boy Scout Troup 62 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 62 continues to undertake numerous service projects benefiting our residents and our municipality; and**

**Whereas, on January 16, 2010, Boy Scout Michael Muller a member of Troop 62 was honored at a special Court of Honor ceremony to honor his achievement of Eagle Scout rank, Boy Scouts highest honor; and**

**Whereas, Michael served as Senior Patrol leader of his Boy Scout Troop, Ceremonies Chairman of his Order of the Arrow Lodge and as Master Councilor of his DeMolay Chapter; and**

**Whereas, Michael has earned the World Conservation Award, OA Arrowman Service Award, Mile Swim Award, and Boy Scouts of America Lifeguard certification; and**

**Whereas, Michael completed his Eagle Service Project relocating and/or replacing 16 kestrel boxes and bat houses across eight different parks within the Hunterdon County Park System, which are invaluable habitats for Kestrel for natural rodent control and bats for natural insect control; and**

**Whereas, on January 16, 2010, a Court of Honor was convened for the purpose of bestowing upon Michael Muller the highest honor of Scouting, after which, and for the rest of his life, Michael will carry the title of EAGLE SCOUT; and**

**Whereas, EAGLE SCOUT MICHAEL MULLER, 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 the 14th day of January, 2010 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 MICHAEL MULLER**

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

<b>Roll Call Vote:</b>	<b>Aye</b>	<b>- Lubitz, Niemann, Burke</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

**NEW BUSINESS**

Memo from Township Attorney re: Membership of Recreation Commission and Parks & Recreation Committee

Committeewoman Niemann requested that the Township Attorney look into possible changes in the membership of the Recreation Commission, and the Parks and Recreation Committee and their duties.

She noted as the year moves on, and the property located on Horseshoe Bend Road becomes the Township's, we may need additional Commission members. There may be additional financial decisions, and projects for different organizations that may be involved at the property. The Attorney recommended this information be sent to the Parks and Recreation Committee to review, before making any decision.

Recommendation from Planning Board re: Ordinance Amendments

Committeewoman Niemann commented that the Planning Board has reviewed these amendments extensively, and feels this is ready to be adopted on first reading. The Committee members reviewed a few details of the ordinance with the Planning Board Secretary D. Laudenbach, and Planning Board member present Sandra McNicol.

**ORDINANCE**

**ORDINANCE NO. 16-04-2010 AN ORDINANCE AMENDING SUBDIVISION, SITE PLAN, VARIANCE AND CONDITIONAL USE CHECKLISTS -**

Introduction and Adoption on First Reading

Mayor Burke read the Ordinance aloud which was introduced.

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to adopt on first reading **AN ORDINANCE AMENDING SUBDIVISION, SITE PLAN, VARIANCE AND CONDITIONAL USE CHECKLISTS.**

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Burke, Lubitz, Niemann</b>
	<b>NAY</b>	<b>- None</b>
	<b>ABSTAIN</b>	<b>- None</b>
	<b>ABSENT</b>	<b>- None</b>

**Consideration of final adoption at a public hearing is scheduled for Wednesday, February 10, 2010 at a meeting beginning at 5:00 P.M. at the municipal building.**

Open Space Committee

Sandra McNicol a member of the Open Space Advisory Committee raised a question regarding the rules and regulations of Committee members all being members on the same Committees as referred to the Open Space/Agriculture Advisory Committee. Clerk MacConnell explained, and no other action was taken. The Committee members noted that possibly in the future the ordinance may be amended.

Waiver of Construction Permit Fees for KT Fire Co. & KT First Aid & Rescue

Committeewoman Niemann explained what they are doing as far as construction.

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She noted that they have spent a lot of money on permits so far, and they were wondering if the Township would waive their permit fees or even split the difference. The Committee members decided to table this issue until they communicate further with the interested parties.

### LOSAP

Clerk MacConnell discussed the eligible Fire Company members for the LOSAP program. The Committee members requested that the Clerk obtain a copy of backup of account information from the Fire Co. to review for the next meeting.

### Bond Anticipation Note – Acknowledge Receipt

The Committee members reviewed the Certificate of Determination and Award prepared by C.F.O. D. Laudenbach. The Township Committee authorized payment of current ban in the amount of \$72,500.00.

### Budget Letters

C.F.O. D. Laudenbach asked the Committee members for their permission to write a letter to all the departments in the Township requesting that they stay within the budget, due to no funds available to transfer.

### **OLD BUSINESS**

#### Township Property – 50 Oak Summit Road, Bl 7 L 2 & Bl 2 L 16

There was a lengthy discussion on the Township owned property the Gergar farm. The Committee members discussed several different ideas of what they may want to do with the farm. It was suggested that it be sold by auction or to a farmer that would like to live in the home. It was noted that the Leon's would have life rights to farm the property. Committeewoman Elaine Niemann will look into appraisers to possibly come talk to the Committee members.

### **MINUTES**

#### December 21, 2009 Special Meeting

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to adopt the minutes of the Township Committee of December 21, 2009 Special Meeting.

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

December 21, 2009 Executive Session Meeting

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adopt the Executive Session minutes of December 21, 2009.

**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.**

January 4, 2010 Special Meeting

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adopt the Special Meeting Minutes of January 4, 2010 with the following correction:

Correction: Page 2010-02 – Motion at the bottom of the page, should state: It was moved by Mr. Lubitz, Mayor Niemann stepped down from the Chair second the motion to adopt the foregoing Resolution.

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

**Executive Session – Resolution No. 2010-11**

The following Resolution was introduced to enter into closed session at approximately 9:28PM.

**RESOLUTION NO. 2010-11**

**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 – Park Director**  
**Litigation – Bunker Hill Homes, Inc.**  
**Update on Tax Appeals**  
**Contractual – Professional Services**  
**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 Mrs. Niemann and carried to adopt the foregoing Resolution.

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Lubitz, Niemann, Burke</b>
	<b>NAY</b>	<b>- None</b>
	<b>ABSTAIN</b>	<b>- None</b>
	<b>ABSENT</b>	<b>- None</b>

**RETURN TO REGULAR SESSION**

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to return to regular session at 10:05 P.M. **All voted Aye on Roll Call Vote.**

Release of Executive Session Minutes

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to approve the release of the non-redacted portions of the Executive Session Minutes from January 2, 2007 – December 31, 2007.

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Niemann, Burke</b>
	<b>NAY</b>	<b>- None</b>
	<b>ABSTAIN</b>	<b>- Lubitz</b>
	<b>ABSENT</b>	<b>- None</b>

**The following matters were not released from the above listed Executive Session Minutes:** Michalenko, Franklin Township Van Agreement, Chris Citgo, and R.D.R. These sections are not available for public review until they are released by the Township Committee.

Release of Executive Session Minutes for December 1, 2009

It was moved by Mr. Lubitz, second by Mrs. Niemann and carried to approve the release of the non-redacted portions of the December 1, 2009 Executive Session Minutes.

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Lubitz, Niemann, Burke</b>
	<b>NAY</b>	<b>- None</b>
	<b>ABSTAIN</b>	<b>- None</b>
	<b>ABSENT</b>	<b>- None</b>

**The following matters were not released from the above listed Executive Session Minutes:** Bunker Hill Homes. These sections are not available for public review until they are released by the Township Committee.

Planning Board – Conservation Easement Markers

Committeewoman Niemann commented that the Planning Board has been concerned regarding how to go about inspecting the Conservation Easement Markers. She noted that the Planning Board would like to have William Sidote to visually check/inspect the markers, but he would not be qualified to delineate their exact placement. Mrs. Niemann would like to get a opinion from the Committee regarding Mr. Sidote for the project. The Committee members feel it would be a very good idea. Mr. Lubitz asked whether there would additional expenses. Mrs. Niemann explained that there will be no additional expenses, and that it would be part of his job as Code Enforcement Officer. If in the future this requires more of a chore than anticipated, Mrs. Niemann noted that the Committee will evaluate the situation.

Township ID's – County Clerk

Committeewoman Niemann noted that it would be a good idea to contact the County Clerk to schedule a date for ID's to be done for officials, employees and volunteers. She asked Clerk MacConnell to get three dates from the County Clerk as to when it would be good for her to come to the Municipal Building.

There was a suggestion that a possible date be the same day as the Ethics Seminar training on February 3, 2010, either before or after the seminar.

Change of Township Committee Meeting Date

It was moved by Mr. Lubitz, second by Mrs. Niemann and carried to reschedule the Township Committee meeting from February 2, 2010 7:00PM, to February 10, 2010 at 5:00PM.

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Lubitz, Niemann, Burke</b>
	<b>NAY</b>	<b>- None</b>
	<b>ABSTAIN</b>	<b>- None</b>
	<b>ABSENT</b>	<b>- None</b>

**ADJOURNMENT**

It was moved by Mrs. Niemann, second by Mr. Lubitz and carried to adjourn the meeting at 10:25PM. **All** voted **Aye** on **Roll Call Vote**.

**Respectfully submitted,**

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