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**June 1, 2010
Regular Township Committee
Meeting Minutes**

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

Also present at the meeting were Deputy Mayor Lubitz, Committeewoman Niemann, Attorney Judith Kopen, C.F.O. D. Laudenbach, Auditor William Colantano, Deputy Clerk Keller, 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 21, 2010 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 19, 2010. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 19, 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.

2010 Budget Amendment – Public Hearing

It was moved by Mrs. Niemann, Mayor Burke stepped down from the Chair, second and carried to open the public hearing for the 2010 Budget Amendment. **All voted Aye on Roll Call Vote.**

Comments: No Comments

It was moved by Mrs. Niemann, Mayor Burke stepped down from the Chair second and carried to close the public hearing. **All voted Aye on Roll Call Vote.**

2010 Municipal Budget Resolution No. 2010 – 69 Vote to Adopt

RESOLUTION NO. 2010-69

BE IT RESOLVED, by the Township Committee of the Township of Kingwood, County of Hunterdon that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

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- (a) \$ 1,162,954.00 (Items 2 below) for municipal purposes;
and
- (b) \$ _____ (Items 3 below) for school purposes in
Type I School District only (NJS18A:9-2) to be raised by
taxation; and

(Item 4 below) to be added to the
certificate of amount to be raised
by taxation for local school
purposes in Type II School Districts
only (NJS 18A:9:3) and certification
to the
- (c) \$ _____ County Board of Taxation of the
following summary of general revenues and appropriations.
- (d) \$ 181,900,00 Open Space, Recreation, Farmland and
Historic Preservation Trust Fund Levy

RECORDED VOTE: AYE - Burke, Niemann
 NAY - None
 ABSTAIN - None
 ABSENT - Lubitz

SUMMARY OF REVENUES

| | | |
|--|--------|----------------|
| 1. General Revenues | | |
| Surplus Anticipated | 08-100 | \$677,000.00 |
| Miscellaneous Revenues | | |
| Anticipated | 13-099 | \$544,464.07 |
| Receipts from Delinquent Taxes | 15-499 | \$400,335.07 |
| 2. Amount to be raised by taxation for municipal purposes (item 6(a), Sheet 11) | | |
| | 07-190 | \$1,162,954.00 |
| 3. Amount to be raised by taxation for schools in type I school districts only: | | |
| | 07-195 | \$ _____ |
| Item 6, Sheet 41 | 07-191 | \$ _____ |
| Item 6 (b), Sheet 11 (NJS 40A:4-14) | | |
| Total Amount to be raised by taxation for schools in type I school districts only | | |
| 4. To Be added to the certificate for amount to be raised by taxation for schools in type II school districts only: | | |

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| | | |
|---------------------------------|--------|-----------------|
| Item 6 (b), Sheet 11 | | |
| (NJS 40A:4-14) | 07-191 | |
| Total Revenues | 13-299 | \$2,784,753.14 |
| 5. General Appropriations: | | |
| Within "CAPS" | | |
| (a & b) Operations | | |
| including Contingent | 34-201 | \$1,608,287.50 |
| (e) Deferred charges and | | |
| Statutory Expenditures | | |
| - Municipal | 34-209 | \$143,204.00 |
| (g) Cash Deficit | | |
| | 46-885 | |
| Excluded from "CAPS" | | |
| (a) Operations - Total | | |
| Operations Excluded from | | |
| "CAPS" | 34-305 | \$ 37,946.64 |
| (c) Capital Improvements | 44-999 | \$ 168,600.00 |
| (d) Municipal Debt Service | 45-999 | \$ 200,415.00 |
| (e) Deferred Charges-Municipal | 46-999 | \$ 60,000.00 |
| (f) Judgements | 37-480 | |
| (n) Transferred to Board of | | |
| Education for Use of Local | | |
| Schools (NJS 40:48-17.1 | | |
| & 17.3) | 29-405 | |
| (g) Cash Deficit | 46-885 | |
| (k) For Local District | | |
| School Purposes | 29-410 | |
| (m) Reserve for Uncollected | | |
| taxes | 50-899 | \$ 566,300.00 |
| 6. School Appropriations - Type | | |
| 1 School Districts Only | | |
| (NJS 40A:4-13) | 07-195 | |
| Total Appropriations | 34-499 | \$ 2,784,753.14 |

It was moved by Mrs. Niemann, Mayor Burke stepped down from the Chair second and carried to adopt the 2010 Municipal Budget, and the 2010 Budget Amendments.

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

RESOLUTION

Resolution No. 2010-62 – Self Examination of Budget

The following Resolution was introduced:

RESOLUTION NO. 2010 - 62

SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Kingwood has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2010 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2

and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

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

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

George M. Dilts, Attorney - Dilts and Koester, Commented that he was present to represent Bruno and Pat Casuscelli from Galleria Construction. Committeewoman Elaine Niemann noted that she no longer has a conflict with Galleria Construction, and that she will be present and participate in the conversation. Mr. Dilts announced that he was present to address Ordinance No. 16-06-2010 Storage Containers in the BP Zone. He noted that he understood that the Planning Board needed additional time to review the ordinance and survey. He noted that his clients are very appreciative for the Planning Boards efforts to move on this ordinance and make this type of use a permitted use in the BP Zone.

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He explained that after reviewing the ordinance he had a few modifications, and would like the Township Committee, and the Planning Board to consider two minor provisions he would like to submit. He reviewed the provisions from Section 132-35D (6) (d), and Section 132-35D (6) (f) and stated that a letter will be faxed to the Clerk by tomorrow morning with the details of the modifications. Mr. Dilts thanked the Township Committee members for their time and consideration.

Jack MacConnell, Emergency Management Coordinator Commented on a meeting he attended on May 24, 2010 with the Borough's of Frenchtown and High Bridge. He explained that they will probably be able to obtain funds from FEMA. Mr. MacConnell noted that they are meeting the threshold of the debris removal and emergency protective measures. He stated that they need to meet the \$1,500 threshold, and feels that they will be able to do that with no problem.

Executive Session – Resolution No. 2010-68

The following Resolution was introduced to enter into closed session at approximately 7:15 PM.

RESOLUTION NO. 2010-68

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 – DPW Supervisor

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 Mrs. Niemann, Mayor Burke stepped down from the Chair second and carried to adopt the foregoing Resolution.

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

Deputy Mayor Phil Lubitz arrived at the meeting at 7:20PM.

RETURN TO REGULAR SESSION

It was moved by Mrs. Niemann, Mayor Burke stepped down from the Chair second and carried to return to regular session at 7:15P.M. All voted Aye on Roll Call Vote.

CORRESPONDENCE

Letter from State Department of Agriculture re: Municipal Planning Incentive Grant

Mayor Burke reviewed the letter and commented that Liz Schmid, Open Space Farmland Coordinator is doing a great job.

Letter from Resident re: Oak Summit Road

The Township Committee reviewed a letter from a resident regarding the ownership of a small parcel of land in the Township. The letter stated that there is no listing of an owner for that parcel on the tax map. It explained that he has gone to a title agency to find out an answer to his question, and wanted to know if the Township could be of any help to him. Attorney Kopen explained that the title company would be able to give him the correct information for that property, or possibly the Tax Assessor for the Township, David Gill. She noted that it may be a good idea to contact the Township’s Engineer Tom Decker to research the owner of the property.

Invitation from County Chamber of Commerce re: Mayors’ Dinner

Mayor Burke reviewed.

BILLS AND CLAIMS

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It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to approve and pay all bills and claims in the amount of \$ 940,111.38 that are in order and attached as **Bill List** for **June** 2010.

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

REPORTS

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

Township Engineer’s Monthly Report

Clerk MacConnell distributed copies of the report to the Committee members.

General Code Enforcement Report of April 2010 & May 2010

The Committee members reviewed the report.

Animal Control Report

Dog License Reports

FUTURE MEETINGS AND ACTIVITIES

Mayor Burke reviewed as per the Agenda.

ORDINANCES

ORDINANCE NO. 16-10-2010 REPLACING CHAPTER 97, RECYCLING WITH NEW CHAPTER 97, RECYCLING - Public Hearing and Final Adoption

This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on the 13th day of May, 2010. The Ordinance was published in the Hunterdon County Democrat on May 20, 2010 and has been posted in the Kingwood Township Municipal Building on May 14, 2010. Copies of the Ordinance have been available for inspection by the public since May 14, 2010.

It was moved by Mrs. Niemann, 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 Mrs. Niemann, 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 Mrs. Niemann and carried to adopt on final reading **ORDINANCE NO. 16-10-2010 REPLACING CHAPTER 97, RECYCLING WITH NEW CHAPTER 97, RECYCLING.**

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

ORDINANCE

ORDINANCE NO. 16-11-2010 AN ORDINANCE AMENDING ORDINANCE NO. 16-07-2010 FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES – 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 **ORDINANCE NO. 16-11-2010 AN ORDINANCE AMENDING ORDINANCE NO. 16-07-2010 FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES.**

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

Consideration of final adoption at a public hearing is scheduled for Tuesday, July 6, 2010 at a meeting beginning at 7:00 P.M. at the municipal building.

RESOLUTIONS

Resolution No. 2010-63 - Authorization To Open Checking Accounts

The following Resolution was introduced:

RESOLUTION NO. 2010 – 63

AUTHORIZATION TO OPEN CHECKING ACCOUNTS

WHEREAS, the Township Committee of the Township of Kingwood has adopted Resolution No. 2010 – 64; and

WHEREAS, the above mentioned Resolution requires the establishment of a separate trust fund for the deposit of the proceeds from the recycling program.

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 open the following trust fund:

RECYCLING TRUST FUND

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

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

Committeewoman Niemann explained that the purpose of this Resolution is that the Township can take the proceeds from the scrap recycling and dedicate them towards our recycling program to help off set the expenses.

RESOLUTION

Resolution No. 2010-64 - Dedication By Rider – Recycling Trust Fund

The following Resolution was introduced:

RESOLUTION NO. 2010 - 64

DEDICATION BY RIDER

WHEREAS, N.J.S.A. 40A:4-39 provides for the anticipation and expenditures of certain items of dedicated revenues which are not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 also provides that such anticipation and expenditures of dedicated revenue is subject to the approval of the Director of the Division of Local Government Services; and

WHEREAS, it is the desire of the Township Committee of the Township of Kingwood to anticipate and expend certain dedicated revenues; and

WHEREAS, the Township Committee wishes to provide for the availability of the expenditure of said dedicated revenues in accordance with its wishes and desires as directed by the Township Committee and as approved by the director of the Division of Local Government Services, which Director may require such explanatory statements or data in connection therewith as he deems advisable for the information and protection of the public.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Division of Local Government Services in the Department of Community Affairs, be and is hereby requested to give his written consent to the insertion, under the dedication by rider in the budget for 2010 of the following:

RECYCLING TRUST FUND

BE IT FURTHER RESOLVED that two (2) certified copies of this Resolution be furnished to the said Director of the Division of Local Government Services.

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

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

RESOLUTION

Resolution No. 2010-65 - Refund of Tax Overpayment Bl 40 L 12

The following Resolution was introduced:

RESOLUTION NO. 2010 – 65

REFUND OF TAX OVERPAYMENT

WHEREAS, Block 40, Lot 12 was the subject of a tax appeal which resulted in an overpayment of real estate taxes for 2009 in the amount of \$1685.98, and
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WHEREAS, an amount equal to \$55.90 of the appeal amount was credited to the first and second quarter of 2010.

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 issue a refund to New Hope Beagle Club, c/o F. Wooden, 89 Byram Kingwood Road, Stockton, New Jersey, 08559, in the amount of \$ 1630.08.

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

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

RESOLUTION

Resolution No. 2010-66 - 2010/2011 Liquor License Renewals

The following Resolution was introduced:

*** Committeewoman Elaine Niemann recused herself from the meeting at this time.**

RESOLUTION NO. 2010 - 66

LIQUOR LICENSE APPLICATION RENEWALS

WHEREAS, applications have been made to the Kingwood Township Committee for the renewal of Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses for the 2010-2011 licensing period; and

WHEREAS, the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, at a meeting assembled, has reviewed all applications and the submitted application forms are complete in all respects, the applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations, and the issuing authority has reviewed the source of any additional financing obtained in the previous license term for use in the licensed business; and

WHEREAS, the submitted club application is complete in all respects, including submission of the club member list, the officers and directors of the club are qualified according to all statutory, regulatory and local government ABC laws and regulations, and the club maintains all records required by N.J.A.C. 13:2-8.8 and N.J.A.C. 13:2-8.12 and therefore are found to be in order;

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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the following Plenary

Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses be hereby renewed for the 2010-2011 licensing period effective July 1, 2010:

1016-31-006-001 Kingwood Township Fire Company No. 1
 PO Box 99
 Baptistown, NJ 08803
Municipal Fee: \$50.00 State Fee: \$200.00
Club License

1016-33-001-003 Uncle Scotts Steakhouse LLC
 15 Homestead Farm Road
 Milford, NJ 08848
Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Consumption License

1016-33-003-004 B D A Highland Company LLC
 343 County Road 519
 Stockton, NJ 08559
Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Consumption License

1016-33-004-006 The Shack Sports Bar & Grill
 70 East Main Street, 2nd Floor
 Somerville, NJ 08876
Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Consumption License

1016-33-005-004 Razberry's Banquets Inc.
 PO Box 167
 Baptistown, NJ 08803
Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Consumption License

SPECIAL CONDITION: That the doors on the west side of the building be closed from 10:00PM to 2:00AM while there is music, live or recorded, playing in the premises.

1016-44-002-006 Shreji Liquor Inc
 866 Route 12
 Frenchtown, NJ 08825
Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Distribution License

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

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

* At this time Committeewoman Niemann rejoined the meeting.

NEW BUSINESS

ABC Application for Social Affair

The Committee members reviewed an application from St. Anna Greek Orthodox Church requesting for the approval for a Social Affairs permit. The event is scheduled to be at Razberry’s Banquet Center located on Route 12, Flemington NJ on July 2nd, from 5:00PM to 11:00PM, July 3rd, from 11:00AM to 10:00PM, and July 4th, 2010 from 12:00 Noon to 9:00PM.

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to approve a Social Affairs Permit for the dates listed above to the St. Anna Greek Orthodox Church for the event at Razberry’s Banquet Center.

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

Department of Public Works Roof Snow Stops Quotations

Clerk MacConnell noted that the Township is still receiving quotations for this project. The Committee members asked Clerk MacConnell to gather all the quotations received, and to place this on the agenda for July 6, 2010.

Telephone System at Municipal Building Quotation

Clerk MacConnell explained that the phone system needed repairing in the municipal building. She explained that she had obtained quotes for a new system. The Committee members feel that it would be best to get several other quotes, and also quotes for a maintenance agreement through Century Link. The Committee members would like to review this further, and asked that this be put on the agenda for next month.

Planning Board Appointment

Clerk MacConnell noted that there is an opening for an Alternate #2 position on the Planning Board. The Committee members discussed appointing a gentleman who expressed interest to becoming a member of the Planning Board.

The Committee members would like to invite Mr. Charles McGovern to a Planning Board meeting, and then decide whether he would like to join the board. It was noted that a decision will be made after the Committee members speak to Mr. McGovern.

OLD BUSINESS

Receipt of Quotations for Affordable Housing Administrative Agent

Attorney Kopen noted that the Township's Planner David Banisch should have the information on the quotations regarding Norwescap. Mayor Burke feels that this should be forwarded to the Housing Board to review. Mr. Lubitz will be in contact with Planner, David Banisch on the matter.

Request to Rename Reading Road

Attorney Kopen explained at the last Township Committee meeting the Committee members requested that she look into the statutory authorization for the Township to move forward to rename a road. She noted that under NJSA 40:67-1K, the Township does have the authority to change the names of roads, streets, and signs. Mayor Burke suggested that Clerk MacConnell contact Historical Society member, Mildred Wehr and ask her to contact the gentleman that requested to have the name of the road changed regarding Reading Road, and speak to him to see if he is in agreement with the name change of John Reading Road in place of Reading Road. If the gentleman is in agreement with the change then the Township will draft an ordinance before the next meeting in July in accordance with the statutes.

Land Use Survey

Committeewoman Niemann distributed a draft copy the Land Use Survey. She stated that it is now completed and that they entered the data into a microsoft excel spread sheet, and then created various rules to analyze the information. She noted that approximately 15 to 20 surveys were not completed the way they encouraged the answers to be entered. These surveys need to be addressed in order to have a more accurate response. Mrs. Niemann explained that out of all of the surveys that were completed, 339 were returned, 165 had comments as well as completing the entire survey.

She noted that the comments from the surveys are going to be compiled verbatim on a supplemental report, so that everyone can read them. She explained that all of this information will be available to the Planning Board for their review.

MINUTES

May 13, 2010 Regular Meeting

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to adopt the Minutes of the May 13, 2010 Regular Meeting for the Township Committee with the following corrections:

Page 2010 – 122 Under Public Comment : Pat Casuscelli

Appears now: Pat Casuscelli asked questions regarding the ordinance for the **Pods**, and asked if the Township Committee had any new information on the ordinance that was introduced, and if they are considering final adoption.

Correction: Pat Casuscelli asked questions regarding the ordinance for the **portable storage units**, and asked if the Township Committee had any new information on the ordinance that was introduced, and if they are considering final adoption.

Page 2010 – 122 Under Public Comment: Correct the spelling:

Appears now: **Landuse Survey** – Correction: **Land Use Survey**

Page 2010 – 122 Under Public Comment: Irving MacConnell, EMC – last sentence. Appears now: **He noted there will be mitigation at a meeting on May 21, 2010.** Correction: **He noted there will be a mitigation meeting on May 21, 2010.**

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

May 13, 2010 Executive Session

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adopt the Minutes of the May 13, 2010 Executive Session for the Township Committee.

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

Mayor Burke announced that the Committee members would be going into executive session. He asked the public if there were any additional comments.

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Charles Kocsis, County Route 519 Asked the Committee members if it is possible to have a sign put up in front of the municipal building with a list of agenda items for the Township Committee Meetings. The Committee members stated that they would look into getting a sign, and that they promise to follow up on the idea.

RESOLUTION

The following Resolution was introduced to enter into closed session at approximately 8:00 PM.

Executive Session – Resolution No. 2010-67

The following Resolution was introduced:

RESOLUTION NO. 2010 – 67

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:
 - Potential Litigation – Code Enforcement
 - Potential Litigation – B1 14 L 25.02 & 25.03
 - Contractual – Gergar
 - Contractual – Sale of Township Property B1 50 L 9
 - Contract Negotiations – Habitat for Humanity for B1 20 L 1 & B1 15 L 8.04
 - Litigation – Bunker Hill
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.

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

RETURN TO REGULAR SESSION

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to return to regular session at 8:35P.M. **All** voted **Aye** on **Roll Call Vote**.

ADJOURNMENT

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to return to regular session at 8:36P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

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