

**August 3, 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, Engineer Thomas Decker, C.F.O. D. Laudenschach, 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.

Bid Results:

Well Installation & Pump Test Bl 19 L 5 – Recommendation from Township Engineer

Township Engineer Thomas Decker noted that on July 27, 2010 a total of three bids were received for the Well Installation and Pump Test on the Ukarish Tract as part of the Habitat for Humanity project. He stated that the bidders and their respective quotes were as follows:

Samuel Stothoff, Co.	-	\$28,072.00
Bucks County Artesian Well	-	\$35,680.00
Stover's Well and Pump	-	\$38,384.00

Engineer Decker explained that after he reviewed them, it was determined that the package as submitted by apparent low bidder, Samuel Stothoff, Co. is responsive and complete. Therefore, it is the recommendation of his office that the contract for Well Installation and Pump Test be awarded to Samuel Stothoff, Co.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2010 - 88

RESOLUTION TO AWARD BID FOR WELL INSTALLATION AND PUMP TEST-UKARISH TRACT

WHEREAS, Kingwood Township advertised for and received bids for well installation and pump testing for the Ukarish tract; and

WHEREAS, the bids were reviewed by the Township Engineer as is reflected in his report of August 3, 2010, and were also reviewed by the Township Attorney; and

WHEREAS, according to the report of the Township Engineer dated August 3, 2010, and attached hereto as Exhibit A, as well as the review of the Township Attorney, the lowest responsible bidder for well installation and pump testing was Samuel Stothoff, Co.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Kingwood, that:

The contract for Well Installation and Pump Test be awarded to Samuel Stothoff, Co., for the bid amount of \$28,072.00.

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adopt the foregoing Resolution to award the bid to Samuel Stothoff, Co. for the amount of \$28,072.00.

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

Spring Hill & Tumble Falls Rd Materials – Recommendation from Twp Eng

Township Engineer Thomas Decker noted that on July 27, 2010, a total of three bids were received for the Spring Hill Road and Tumble Falls Road materials. He stated that each of the three bids submitted were for separate items, therefore no line item received more than one response. He explained that the bids were not received for three of the line items. He stated that after reviewing the bid packages as submitted, all were responsive and complete, with regard to items #3, #6 and #10, no bids were received.

He explained that accordance with Section 40:A11-5(3)(a) of the Local Public Contracts Law, a second advertisement requesting bids must be made, and if after a second advertisement, there is no response, a “contract may then be negotiated and may be awarded upon adoption of a resolution by a two-thirds affirmative vote of the authorizing Governing Body. Mayor Burke discussed several issues regarding funds for the Spring Hill Road Project. Engineer Decker noted that Section I, has no drainage issues. He noted that this will be the least expensive part of the road to improve, which will cover approximately one half a mile. He stated that he is also waiting for an answer from the D.O.T. to carry over this years grant and combine it with Section II. Engineer Decker noted that the deadline date for next years funding is August 13, 2010. There was a lengthy discussion on submitting the application for Spring Hill Road. There was a brief discussion on the work that will be done on Horseshoe Bend road on the section in Frenchtown Boro. The Township of Kingwood has made arrangements to work on this section with funding from Frenchtown Boro. Mayor Burke suggested that Engineer Decker coordinate a plan to get the project started with the Engineer from Frenchtown.

RESOLUTION

RESOLUTION NO. 2010 - 89

**RESOLUTION TO AWARD BID FOR SPRING HILL ROAD &
TUMBLE FALLS ROAD MATERIALS**

WHEREAS, Kingwood Township advertised for and received bids for Spring Hill Road and Tumble Falls Road Materials; and

WHEREAS, the bids were reviewed by the Township Engineer as is reflected in his report of August 3, 2010, and were also reviewed by the Township Attorney; and

WHEREAS, according to the report of the Township Engineer dated August 3, 2010, and attached hereto as Exhibit A, as well as the review of the Township Attorney, the lowest responsible bidder for all items except for items #3, 6 and 10, for which no bids were received, is as set forth in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Kingwood, that:

1. The contracts for item #1, Superpave HMA 25M-64, Base Course (FOB), at the unit price of \$51.95/ton and for item #4, Superpave HMA 9.5M-64, Surface Course (FOB), at the unit price of \$53.95/ton, are hereby awarded to Flemington Bituminous Corp.

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2. The contracts for item #2, Superpave HMA 25M-64, Base Course (FDS-Spring Hill Road), at the unit price of \$61.95/ton and for item #5 Superpave
3. HMA 9.5M-64, Surface Course (FDS-Spring Hill Road), at the unit price of \$63.95/ton are hereby awarded to Mannon Excavating.
4. The contracts for items # 7, 8 and 9, for 15”, 18”, and 24”, respectively, of HDPE Corrugated Smooth Wall Drainage Pipe, (all FDS-Kingwood Municipal Garage) for the unit prices, respectively, of \$7.00, \$10.00 and \$17.00/lf, and for item #11, Cast Iron Frame and Bicycle Safety Grate for NJDOT Type “E” Precast Inlet (FDS-Kingwood Municipal Garage), at the unit price of \$775.00 each, are hereby awarded to Brent Material.

Items # 3, 6 and 10, having received no bids, shall be rebid.

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

Tree Removal, Trimming & Stump Removal – Recommendation from Twp Eng

Engineer Thomas Decker noted that on August 3, 2010 a total of three bids were received for the Tree Removal, Tree Trimming and Stump Removal request for bids. He stated that the bidders and their respective quotes were as follows:

Tree Tech Inc.	- \$11,597
Andy Matt Inc.	- \$18,110
Northwest Tree Expert	- \$17,100

Engineer Decker noted that Tree Tech Inc. is responsive, complete and the lowest bidder for all categories, and his office recommends that the contract for Tree Removal, Tree Trimming and Stump Removal be awarded to Tree Tech Inc. of Mount Freedom, NJ for the amount of \$11,597.00.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2010 – 90

RESOLUTION TO AWARD BID FOR TREE REMOVAL, TREE TRIMMING AND STUMP REMOVAL

WHEREAS, Kingwood Township advertised for and received bids for tree removal, tree trimming and stump removal; and

WHEREAS, the bids were reviewed by the Township Engineer as is reflected in his report of August 3, 2010, and were also reviewed by the Township Attorney; and

WHEREAS, according to the report of the Township Engineer dated August 3, 2010, and attached hereto as Exhibit A, as well as the review of the Township Attorney, the lowest responsible bidder for all items was Tree Tech, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Kingwood, that:

The contracts for Tree Removal, Tree Trimming and Stump Removal be awarded to Tree Tech Inc. for the prices set forth in Exhibit A.

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adopt the foregoing Resolution to award the bid to Tree Tech Inc. - \$11,597 Tree Removal Tree Trimming, and Stump Removal.

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

Picnic Grove Road

Clerk MacConnell distributed a letter addressed to the Township Committee from the Planning Board. The letter stated that at the June 8, 2010 Planning Board Meeting, a motion was made, seconded and carried to request that the Township Committee vacate a portion of the southern end of Picnic Grove Road 305' north of the second culvert. There was a lengthy discussion regarding the road. The Township Committee noted that the road does not connect completely, and there is no reason that it should. There was a discussion on the expense issues due to wetlands, which would need to be completed. Engineer Decker recommended considering a new name for the road on the other side by Route 651. Committeewoman Niemann explained that this, which is being proposed by the Planning Board will not adversely affect the lots on the side of Picnic Grove Road. She stated that the vacating of the road will only be from the culvert to continue 305' towards Milltown Road. Mayor Burke feels that the Planning Board needs to discuss this further.

Waste Water Management Plan

Engineer Thomas Decker reported that the County has contacted him, and would like to know where the Township is currently regarding their W.W.M. Plan. Engineer Decker noted that eventually three ordinances will need to be adopted. He noted that the deadline date is for 2011 to be completed.

David Posey Environmental Commission Member – Idling & Park/School Walkway

David Posey a member of the Environmental Commission was present to represent the Township's Environmental Commission. He first commented on the School and Park Walkway. He stated that there has been a large amount of trash dumped along the trail walkway, and suggested that a barrier be put up so that no vehicles can get through and that this does not happen in the future. The Committee members stated that they will look into the idea, and discuss this with the Public Works Department. Mr. Posey explained that the N.J.D.E.P. is trying to educate everyone on the hazards of idling. He handed out several items of information, and a sample resolution for municipalities to adopt in support of enforcing and educating people of ways to reduce idling. David Posey noted that the Environmental Commission would like the Township Committee to consider adopting this resolution. The Township Committee thanked Mr. Posey for coming and will consider adopting this resolution after reviewing the information.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Jack MacConnell, Emergency Management Coordinator, and Joseph Zdrodowski, Hazardous Mitigation Plan Coordinator

Jack MacConnell reported that he and Hazardous Mitigation Coordinator, Joseph Zdrodowski attended a meeting for the "All Hazardous – Pre-Disaster Plan that the County is working on with four counties that will be involved. Mr. Zdrodowski explained that the County has a draft plan on the County website. He stated that the County is looking for comments from Kingwood Township, and would like to have them by August 6, 2010. Mr. Zdrodowski explained that he and Mr. MacConnell will be forwarding their comments to the County, and that the County would like to have the plan approved by January 2011. Jack MacConnell reported on the Delaware River Basin Commission and their plan to put in their own mitigation plan. Mr. Zdrodowski will e-mail the Committee members his comments on the plan.

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Joe Zdrodowski also gave the Committee members an update regarding Byram since the last meeting. He has made up a questionnaire for all the residents to fill out and send back. He noted that Mr. Mount, also a resident in Byram will be visiting the residences personally. He stated that at the last meeting several residents expressed concern about the cost of raising their homes. Mr. Zdrodowski explained that he has now raised the figures for raising the homes, according to last month's comments.

Recognition of Christopher Henschel, College Student

Christopher Henschel was present at the meeting. He has been working at the Township several weeks over the summer to complete a course for his internship for college. He is majoring in political science, and asked if the Township could use him over the summer to help out, and to get some experience working with a municipality. The Township Committee members thanked him for his efforts and great job.

Patrick Donnelly, Lower Oak Grove Road

Patrick Donnelly a resident of Kingwood Township was present to express his concerns regarding Revelation Generation and their annual concert. He was present at a Township Committee meeting approximately two years ago with the same concerns. He commented on the noise, the number of people that attend the concert, and the lights being too bright. He explained that he heard approximately 4 thousand people will be attending the concert on Fitzer Road. He feels this has grown too large, and that the concert used to be a Christian concert, and now feels it has become a large music festival. He expressed that he is so disturbed that he has scheduled his vacation to go away for the entire weekend. He stated that it is too loud to enjoy anything around his own home. He feels there could be a liability issue as it has become so large.

Linda Lezak, County Road 519

Linda Lezak, commented that she also hears the noise from the concert where she lives on Route 519 in Baptistown. She also feels it has grown too big.

Jack MacConnell, Emergency Management Coordinator

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Jack MacConnell, stated that the Township Committee could do a few things on a local level, which will affect them. He suggested setting time curfews for the bands.

Linda Lezak, Route 519

Commented on the sign that was donated to the Township regarding, Commercial and Industrial in Kingwood Township, and how it is starting to look faded. Mayor Burke explained that he will be talking to someone who maybe able to refurbish the sign, and perhaps lower it since it is so high up and difficult to read.

CORRESPONDENCE

Letter from Milford Merchants Assoc re: River Valley Voice Newsletter

The Committee members reviewed. They suggested this letter be sent to the local churches and scout leaders.

Letter & Info from NJDOT re: State Rte 12 Road Work

Mayor Burke reviewed.

Letter & Info from FEMA re: New NFIP Maps

Mayor Burke reviewed.

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 \$ \$1,333,950.14 that are in order and attached as **Bill List** for **August** 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:

- Tax Collector’s Report of June 2010
- Municipal Court Report of June 2010
- Construction Reports of July 2010
- Township Engineer’s Monthly Report

General Code Enforcement Report of July 2010

Animal Control Report

Dog License Reports

Budget Report

There was some discussion on the microphones and the recorder for the meeting room. Mayor Burke stated that he will look into a digital recorder for the Township, which may work better for the recordings.

FUTURE MEETINGS AND ACTIVITIES

Mayor Burke reviewed as per the Agenda.

Committeewoman Niemann reported that she met with the Board of Adjustment Secretary, and the Zoning Officer on Monday evening. They discussed their office hours and how holidays are often on a Monday. She stated that the public do not get the opportunity to see them until the following week. She also explained how the change to Tuesday nights might cause people to have to wait additional week to be able to meet with the Construction Official. Committeewoman Niemann explained that the latest proposal is that they both remain working on Monday evenings, but extending their hours from 7:30PM to 9:00PM. She explained that when a Holiday is on a Monday, they will switch their working day to that Tuesday of the same week, and the hours to remain the same.

ORDINANCES

ORDINANCE NO. 16-12-2010 PROVIDING FOR THE RECONSTRUCTION OF SPRING HILL ROAD BY THE TOWNSHIP, APPROPRIATING \$195,000 THEREFORE – Introduction and Adoption on First Reading

Mayor Burke read the Ordinance aloud by title, which was then introduced.

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adopt on first reading **ORDINANCE NO. 16-12-2010 PROVIDING FOR THE RECONSTRUCTION OF SPRING HILL ROAD BY THE TOWNSHIP, APPROPRIATING \$195,000 THEREFORE.**

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, September 7, 2010 at a meeting beginning at 7:00 P.M. at the municipal building.

ORDINANCE

ORDINANCE NO. 16-13-2010 AMENDING CHAPTER 75A, “FEES” OF THE TOWNSHIP – Introduction and Adoption on First Reading

Mayor Burke read the Ordinance by title, which was then introduced.

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adopt on first reading **AMENDING CHAPTER 75A, “FEES” OF THE TOWNSHIP.**

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, September 7, 2010 at a meeting beginning at 7:00 P.M. at the municipal building.

ORDINANCE

ORDINANCE NO. 16-14-2010 TO AMEND THE DEVELOPMENT REGULATIONS OF THE TOWNSHIP, SPECIFICALLY “CHAPTER 132 – ZONING” – Introduction and Adoption on First Reading

Mayor Burke read the Ordinance aloud by title, which was then introduced.

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to adopt on first reading **ORDINANCE NO. 16-14-2010 TO AMEND THE DEVELOPMENT REGULATIONS OF THE TOWNSHIP, SPECIFICALLY “CHAPTER 132 – ZONING”.**

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, September 7, 2010 at a meeting beginning at 7:00 P.M. at the municipal building.

Committeewoman Niemann stated that this does not affect commercial storage, only residential.

RESOLUTIONS

The following Resolution was introduced:

RESOLUTION NO. 2010 - 83

EXTENDING THE GRACE PERIOD OF THE PAYMENT OF THE THIRD QUARTER 2010 REAL ESTATE TAXES

WHEREAS, N.J.S.A. 54:4-66.3(d) requires that at least 25 days elapse between the time tax bills are mailed to the date taxes are due; and

WHEREAS, it is the desire of the Mayor and Township Committee of the Township of Kingwood to allow sufficient time for preparation and mailing of the 2010-2011 tax bills after the rate has been struck and for compliance with the statute first above cited.

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 grace period for the payment of the 3rd quarter 2010 property tax installment is extended to August 31, 2010 and any tax payments received after August 31, 2010, interest will be assessed from August 1, 2010.

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

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2010 - 84

TAX SALE REDEMPTION

WHEREAS, the Tax Collector has received redemption monies in the amount of \$8,004.95 to redeem Tax Sale Certificate No. 2009-06 on Block 17, Lot 1.

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 \$8,004.95 to Tad Dabrowski, 132 McKinley Street, South Plainfield, New Jersey, 07080 for the redemption of Tax Sale Certificate No. 2009-06.

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

The following Resolution was introduced:

RESOLUTION NO. 2010 - 85

TAX SALE REDEMPTION

WHEREAS, the Tax Collector has received redemption monies in the amount of \$18,675.60 to redeem Tax Sale Certificate No. 2009-08 on Block 22, Lot 13.03; and

WHEREAS, at the time of the tax sale, a premium was paid in the amount of \$2,000.00.

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 \$20,675.60 made payable to Royal Tax Lien Services, LLC, 179 Washington Lane, Jenkintown, PA, 19046 for the redemption of Tax Sale Certificate No. 2009-08.

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

C.F.O. Diane Laudenbach explained the reasons for the resolution.

The following Resolution was introduced:

RESOLUTION NO. 2010 – 87

IRC SECTION 125 PREMIUM ONLY PLAN

WHEREAS, the Township Committee of the Township of Kingwood has determined that it would be in the best interests of its employees to adopt a “Section 125 Premium Only Plan” allowing for pre-taxed medical benefit coverage.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Kingwood adopt a so-called “Section 125 Premium Only Plan”, in accordance with the specifications annexed hereto; and, be it known that the “Township of Kingwood Premium Only Plan” document was executed on June 1, 2010, and

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Kingwood shall undertake all actions necessary to implement and administer said Plan.

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

NEW BUSINESS

Municipal Alliance Renewal Application 2011

The Committee members reviewed the application to renew.

It was moved by Mrs. Niemann, Mayor Burke stepped down from the Chair, seconded and carried to authorize the Mayor to execute the renewal application for 2011 with Municipal Alliance.

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

Equestrian Village Survey Plan – Change Order #2

Clerk MacConnell read aloud the e-mail she received from Taylor Wiseman and Taylor. Mayor Burke requested that this be tabled until after executive session.

Certificate of Determination & Award – Bond Anticipation Note

C.F.O. Diane Laudenbach reported on a note from the last sale.

Applications for Raffle License: #2010-02 Womens Club Flemington and Raffle License #2010-03 Womens Club Flemington

The Committee members reviewed the applications for raffle licenses. They asked the Clerk if everything was in order. Clerk MacConnell noted that everything is in order and needed approval.

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to approve Raffle License #2010-02 and Raffle License #2010-03 from the Woman's Club Flemington to conduct Raffles on October 22, 2010 at Razberry's Banquet Center from 11:00 A.M. to 3:30 P.M.

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

OLD BUSINESS

Department of Public Works Roof Snow Stops Quotations

Clerk MacConnell reported that there is nothing new to report. She did not receive any additional quotes last month.

Telephone System at Municipal Bldg. Quotation

Clerk MacConnell reported, and will pursue getting a demonstration set up to observe before making any decisions.

Township News Letter

Committeewoman Niemann noted that she is working on the Newsletter. She stated that she would like all contributions for the Newsletter to be in by a deadline date. It was discussed to have all information for the Newsletter to her by August 18th.

MINUTES

July 6, 2010 Regular Minutes

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to adopt the minutes of the Regular Meeting for the Township Committee for July 6, 2010.

Comments: Committeewoman noted that she did not have time to review the minutes.

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

July 6, 2010 Executive Session (8:05PM)

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adopt the minutes of the Executive Session for the Township Committee for July 6, 2010 at 8:05PM.

Comments: Committeewoman noted that she did not have time to review the minutes.

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

July 6, 2010 Executive Session (10:05PM)

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adopt the minutes of the Executive Session for the Township Committee for July 6, 2010 at 10:05PM.

Comments: Committeewoman noted that she did not have time to review the minutes.

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

The following Resolution was introduced to enter into closed session at approximately 9:05 PM.

Executive Session – Resolution No. 2010-86

The following Resolution was introduced:

RESOLUTION NO. 2010 – 86

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:
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:

Contract Negotiations – Habitat for Humanity for Bl 20 L 1 and Bl 15 L 8.04,
 Gergar Property Bl 7 L 2 and Bl 2 L 16
 Taylor, Wisemen & Taylor – Change Order
 Equestrian Village

Possible Litigation – Bunker Hill
 Litigation – Tax Appeal Lutz Welding Bl 15 L 8.01
 Michalenko
 Abel – Complaint
 Chris Citgo - Bl 9 L 2.01

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 9:50P.M. **All** voted **Aye** on **Roll Call Vote**.

ORDINANCE

ORDINANCE NO. 16-15-2010 AN ORDINANCE AUTHORIZING THE SALE OF SURPLUS LAND – Introduction and Adopt on First Reading.

Mayor Burke read the Ordinance aloud by title, which was then introduced.

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adopt on first reading **AN ORDINANCE AUTHORIZING THE SALE OF SURPLUS LAND**.

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, September 7, 2010 at a meeting beginning at 7:00 P.M. at the municipal building.

ADJOURNMENT

It was moved by Mr. Lubitz, seconded by Mrs. Niemann and carried to adjourn the meeting at 9:55P.M.

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

Respectfully submitted,

Cynthia L. Keller, RMC
Deputy Clerk