

2011 - 22

January 6, 2011

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

Also present at the meeting were Deputy Mayor Niemann, Committeeman Burke, Attorney Kopen, C.F.O. Diane Laudenbach, Clerk MacConnell and Deputy Clerk Keller. Mayor Lubitz called the meeting to order and following the salute to the flag 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 on December 23, 2010 and Courier News on December 24, 2010 and by telefaxing copies of the notice to the Express Times and Star Ledger on December 21, 2010. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on December 21, 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.

CORRESPONDENCE

Letter from Delaware Township re: Joint Road Maintenance Agreement

The Committee members reviewed briefly the letter and proposal from Delaware Township. It was discussed that the Township had a joint contract agreement with Delaware Township in 1998. The Township Committee would like to review this proposal and agreement further, and requested that this be put on the agenda for next month so that they can respond back to Delaware Township on their decision.

Information & Sample Resolution from Delaware Township re: Supporting The Delaware & Raritan Canal Commission

Deputy Mayor Niemann noted that she wasn't aware that the New Jersey Department of Environmental Protection was planning to terminate the Delaware & Raritan Canal Commission. She commented that if it is a cost neutral organization, then she is in support of the Resolution. She noted that they appear to be operating efficiently. Mayor Lubitz noted that the Commission is friendlier than the N.J.D.E.P. on the some issues and feels that he would be in favor of supporting the resolution.

Committeeman Burke noted that as a builder, he finds it can be costly and timely in the way the Department of Environmental does certain things. He agrees with the Canal Commission, but feels their jurisdiction goes far outside of those areas. He would prefer to spend a little more time on the issue. Resident Jack MacConnell, Spring Hill Road commented on a problem the Township had with the N.J.D.E.P. regarding, Warsaw Road, and how they impeded correction of the roadway. Committeeman Burke will research more as to why the N.J.D.E.P: wants to eliminate the Commission. The Committee members asked the Clerk to put this on the agenda for next month meeting.

Letter from County Administration. re: Web Site & Email Hosting Shared Services Poll

Mayor Lubitz briefly reviewed. Deputy Mayor Niemann commented on the Township's current e-mail program and how it is donated by a resident, and that it is a bit limited. She would like to possibly see what they have in mind and to see if the e-mail is separate from the web site. Deputy Mayor Niemann would like Clerk MacConnell to look into this further, and find out what they have in mind without having much expense.

Resolution No. 2011-05 – 2010 Reserve Budget Appropriation Transfers

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2011-05

2010 RESERVE 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 2010 Reserve Budget Appropriations:

From Account:	To Account:	Amount:
120-0650-101	120-0300-299	\$1500.00
	120-0651-299	\$500.00
	120-0050-299	\$2000.00
	120-0950-299	\$100.00
		\$4,100.00

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

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

BILLS AND CLAIMS

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to approve and pay all bills and claims in the amount of \$ **971,278.68** that are in order and attached as Bill List for January 2011.

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

PUBLIC COMMENT PRIVILEGE OF THE FLOOR

Jack MacConnell, Emergency Management Coordinator Commented that when the State decides that there is a State of Emergency, that no one but emergency vehicles should be on the roads and no one should be driving. He recommended that the township building should be closed. He stated that they do that for a reason, to keep the public off the roads so they can clear the roads, and also that the roads are too dangerous to be on at that time. He stated that FEMA gave us 75% of the funds back in the amount of \$4,075 from last March's flood. Mr. MacConnell stated that they will be having meetings for the Emergency Management Committee in the near future. He also mentioned that the County does not meet the criteria for funds from FEMA from the last snowstorm, because there was not enough snow. There was some discussion on the firehouse as being an emergency shelter, and the register ready program.

REPORTS

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

Municipal Court Report of November 2010
Construction Reports of December 2010
Township Engineer's Monthly Report

Mayor Lubitz noted the need for a steep slope and riparian buffer ordinance referenced on page #2 of the Township Engineers Report. Attorney Kopen has an initial draft for those ordinances. She stated that she will forward them to the Engineer for his comments and then to the Township Committee to review.

REPORTS CONTINUED

Mayor Lubitz also asked questions regarding the Hidden Orchard subdivision. Attorney Kopen noted that she received a call from the developer W. Wilson who stated that he will forward the proposed form of developer's agreement for her to review.

Zoning Permits Report of December 2010

General Code Enforcement Report of December 2010

Mayor Lubitz commented on some of the issues, and suggested that this be discussed in closed as advised by the Township Attorney.

Animal Control Report

FUTURE MEETINGS AND ACTIVITIES

Mayor Lubitz reviewed as per the Agenda. He noted about the new law regarding mandatory recycling for electronics. He suggested that we arrange to speak to Holland Township on possibly sharing the recycling for electronics. Deputy Mayor Niemann responded and stated that she and Recycling Coordinator, Cynthia Niciecki would talk to both Franklin and Holland Townships regarding combining the electronics, but that Kingwood Township would not get any credit for the tonnage. Committeeman James Burke noted that the Department of Public Works department is allowed go to the County Complex the day before their collection of electronics to drop electronics that have been brought to our Township's recycling center.

ORDINANCES

ORDINANCE NO. 16-01-2011 TO AMEND ORDINANCE NO. 15-11-2009 TO PROVIDE FOR THE FEASIBILITY TESTING FOR POSSIBLE AFFORDABLE HOUSING AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$90,000 FROM THE CAPITAL IMPROVEMENT FUND –

Introduction and Adoption on First Reading

Mayor Lubitz read aloud the ordinance by title, which was then introduced:

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to adopt on first reading **ORDINANCE NO. 16-01-2011 TO AMEND ORDINANCE NO. 15-11-2009 TO PROVIDE FOR THE FEASIBILITY TESTING FOR POSSIBLE AFFORDABLE HOUSING AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$90,000 FROM THE CAPITAL IMPROVEMENT.**

Roll Call Vote:

Aye	-	Burke, Niemann, Lubitz
Nay	-	None
Abstain	-	None
Absent	-	None

Consideration of final adoption at a public hearing is scheduled for Thursday, February 3, 2011 at a meeting beginning at 7:00 P.M. at the municipal building.

ORDINANCE

ORDINANCE NO. 16-02-2011 OF THE TOWNSHIP REGARDING AUTHORIZATION TO RENAME READING ROAD– Introduction and Adoption on First Reading

Mayor Lubitz read aloud the ordinance by title, which was then introduced:

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to adopt on first reading **ORDINANCE NO. 16-02-2011 OF THE TOWNSHIP REGARDING AUTHORIZATION TO RENAME READING ROAD.**

Mayor Lubitz explained the history of this ordinance, and that the Historical Society has recommended the road be changed to Heath Road.

Roll Call Vote:

Aye	-	Burke, Niemann, Lubitz
Nay	-	None
Abstain	-	None
Absent	-	None

Consideration of final adoption at a public hearing is scheduled for Thursday, February 3, 2011 at a meeting beginning at 7:00 P.M. at the municipal building.

RESOLUTIONS

The following Resolution was introduced:

RESOLUTION NO. 2011 - 06

TAX SALE REDEMPTION

WHEREAS, the Tax Collector has received redemption monies in the amount of \$134.65 to redeem Tax Sale Certificate No. 2009-16 on Block 40, Lot 8.03Q0304.

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 \$134.65 to Tad Dabrowski, 132 McKinley Street, South Plainfield, New Jersey, 07080 for the redemption of Tax Sale Certificate No. 2009-16.

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

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

RESOLUTION

RESOLUTION NO. 2011 - 07

TAX SALE REDEMPTION

WHEREAS, the Tax Collector has received redemption monies in the amount of \$12,733.52 to redeem Tax Sale Certificate No. 2009-14 on Block 40, Lot 8.

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 \$12,933.52, which includes the \$200.00 premium paid at time of sale, to John LaFlamme, 9 Lisa Court, Oxford, New Jersey, 07863 for the redemption of Tax Sale Certificate No. 2009-14.

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

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

RESOLUTION

RESOLUTION NO. 2011 - 08

TAX SALE REDEMPTION

WHEREAS, the Tax Collector has received redemption monies in the amount of \$132.59 to redeem Tax Sale Certificate No. 2009-15 on Block 40, Lot 8.02Q0304.

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 \$132.59 to Tad Dabrowski, 132 McKinley Street, South Plainfield, New Jersey, 07080 for the redemption of Tax Sale Certificate No. 2009-15.

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

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

RESOLUTION

RESOLUTION NO. 2011 – 09

TAX APPEAL REAL ESTATE TAX REFUND

WHEREAS, Block 37, Lot 3 was successful in a Tax Court appeal for a decrease of the assessment in the amount of \$30,000.00, which resulted in a reduction in the taxes due in the amount of \$604.50.

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 Michael A. Vespasiano, Attorney Trust Account and John Lutz, 331 Main Street, Chatham, New Jersey, 07928 in the amount of \$604.50.

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

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

RESOLUTION

RESOLUTION

RESOLUTION NO. 2011 – 10

REDUCTION OF PERMIT FEES

WHEREAS, the Uniform Construction Code permits the adoption of a resolution to waive or reduce the fees for Construction Permits; and

WHEREAS, Permit No. 10-258 was issued to the Kingwood Township Volunteer Fire Company and the Township received a request for a waiver or reduction of the fees for the permit.

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 Construction Official be authorized to reduce the fee for Permit No. 10-258 and any subsequent updates by 60%; and

BE IT FURTHER 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 in the amount of \$480.00 for Permit No. 10-258.

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

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

NEW BUSINESS

Request from Resident for Cancellation of Taxes & Resolution

The Committee members discussed the cancellation of taxes regarding a request from a disabled Vietnam Veteran who wrote the Township a letter asking for reimbursement of his taxes from August 13, 2009 to the present. The letter stated the status of level was upgraded to 100% of tax exempt status. Attorney Kopen stated that the only obligation the Township would have is to reimburse him from the date and time he received his designation. Mayor Lubitz noted that we honor his service and being 100% disabled is very difficult, but he has paid his taxes and has received some relief from the government for the past, and he will receive relief from us going forward.

Committeeman Burke questioned whether there are any precedents concerning the date of determination, versus the date of the letter. Attorney Kopen will do some further research on these questions from the Committee members. The resolution will be amended and prepared approving the last three quarters to be relieved of the duty to collect for the months of November 2010, February, 2011, and May 2011.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2011 – 15

CANCELLATION OF REAL ESTATE TAXES

WHEREAS, the owner of Block 23, Lot 10.03 was granted a service connected total disability from the Department of Veterans Affairs on October 19, 2010, indicating the total disability was effective on August 13, 2009.

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 Tax Collector be relieved of the duty of collecting the following:

November 2010 -	\$ 1530.30
February 2011 -	\$ 1508.70
May 2011 -	\$ 1508.70

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to adopt the foregoing Resolution with the changes to the draft, to reimburse resident of Block 23, Lot 10.03 for the last three quarters listed for November 2010, February, 2011, and May 2011.

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

Receipt of Proposals for Township Engineer & Township Planner

Mayor Lubitz noted that the Township has received proposals for the position of Engineer and Planner. He noted that this will be done on a rotating basis every three years. He announced the following proposals that were received:

Township Engineer

Hatch Mott MacDonald
53 Frontage Road
Hampton, NJ

T&M Associates
11 Tindall Road
Middletown, NJ

Suburban Consulting Engineers, Inc.
100 Valley Road
Mount Arlington, NJ

Van Cleef Engineering Associates
1128 Route 31
Lebanon, NJ

Mayor Lubitz noted that this will be carried over until next months meeting for review and to make a decision. Deputy Mayor Burke reported on a conversation he had with Planner, David Banisch, from Banisch Associates regarding his rates.

Letter from Skylands Community Bank re: Payroll Processing

C.F.O. Diane Laudенbach noted that it will cost approximately \$2,900 for both of items regarding payroll processing from Skylands Community Bank.

Agreement Between R&L DataCenters re: Payroll Services

The Committee members had a brief discussion with C.F.O. Diane Laudенbach, and they requested that she obtain additional proposals.

Rental Apartment at Former Melnyk Property – Oil Burner

Clerk MacConnell reported on an update of the oil burner, and how the furnace repairman was there to look at it, and noted that it only needs a used part that he will be able to replace.

2011 Insurance Renewal:

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2011 - 11 TO JOIN THE FUND

RESOLUTION TO JOIN STATEWIDE INSURANCE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund (“FUND”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, the Township of Kingwood (“LOCAL UNIT”) has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the Township of Kingwood has determined that membership in the FUND is in the best interest of the Township.

WHEREAS, the Township of Kingwood agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2011** terminating on **January 1, 2014** at 12:01 a.m. standard time; and

WHEREAS, the Township of Kingwood has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Township of Kingwood shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the Township of Kingwood will be afforded the following coverage(s) as marked "Yes":

<u>NO</u>	<u>YES</u>
Workers' Compensation & Employer's Liability	X
Liability, Property, Crime-Faithful Performance and Fidelity, Inland Marine, Boiler and Machinery, Comprehensive General Liability, Auto Liability, Auto Physical Damages and Professional Liability	X
Pollution Liability	X

BE IT FURTHER RESOLVED that Mary E. MacConnell is hereby appointed as the Township of Kingwood's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the Township of Kingwood; and

BE IT FURTHER RESOLVED that the Township of Kingwood's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the Township of Kingwood's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

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

Deputy Mayor Niemann announced that she has a peripheral relationship with this organization and will abstain from voting.

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

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2011 - 12

**RESOLUTION APPOINTING FUND COMMISSIONER
STATEWIDE INSURANCE FUND**

WHEREAS, the Township of Kingwood, (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that Mary E. MacConnell is hereby appointed as the Fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that Phillip Lubitz is hereby appointed as the Alternate Fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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

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

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2011 – 13

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the Township of Kingwood (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Hunterdon and State of New Jersey, as follows:

1. The Township of Kingwood hereby appoints Wells Fargo Insurance Services Northeast, Inc. its local Risk Management Consultant.
2. The Kingwood Township Fund Commissioner or Alternate and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2011 in the form attached hereto.

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

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

Insurance Fund Commission Appointments

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to appoint Mary E. MacConnell, Diane Laudenbach, and Elaine Niemann as the Commissioners to the Insurance Fund Commission for a two year appointment, except for Elaine Niemann is appointed for a one year.

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

Mayor Lubitz noted that the Township will be having additional office hours on Tuesdays. Most of the offices will be open to the public until 8:00P.M. He also explained that he will be available to the public from 6:00P.M. to 8:00P.M. every Tuesday evening and hopes that his colleagues will also consider doing the same.

State of Emergency Declarations on Snow Days

This was discussed earlier in the meeting. When the State of New Jersey orders a State of Emergency due to weather or any other reason, the municipal building is closed until the emergency has been lifted.

D.P.W. Building Insulations

Deputy Mayor Burke explained they are looking into installing insulation into the roof possibly of the D.P.W. building to help keep in the heat.

OLD BUSINESS

Zoning Board of Adjustment Appointment

The Committee members announced that a Citizen member of the Board of Adjustment has resigned recently and they would like to appoint Tom Ciacciarelli as a Citizen member in place of the original appointment as an alternate member.

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to amend appoint for Tom Ciacciarelli from Alternate #1 member to a Citizen member with an unexpired term to expire on 12/31/12 on the Board of Adjustment.

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

Request from Parks & Recreation Committee re: Old Fairview School

Mayor Lubitz reviewed the memo from the Parks and Recreation Committee. Committeeman Burke explained that this has been an ongoing debate with the Parks and Recreation Committee, and now they have brought their thoughts to the Township Committee to make a decision. Mr. Burke reviewed each organization that uses the building right now. The Parks and Recreation Committee would like it back to its original use. They recommend that it be only for the seniors, the historical society and only nonprofit organizations. It was discussed how costly it is for the Township to keep the building open. He stated that those making a profit pay next to nothing for rent and it is costing the taxpayers of the town a lot of money.

Committeeman Burke also explained that the Parks and Recreation Committee has no problem with closing the Old Fairview School House down for the winter months since the seniors do not use the building anyway during the winter months. He stated that the historical society can use the municipal building to have their meetings once a month. He explained that by closing the building in the winter months between November and March, it will save the Township a lot of money in heating costs. Committeeman Burke stated that he visited the Ukarish property. He explained that in one of the apartments there is a propane heater that looks brand new. He stated that maybe he could look into installing it into the Old Fairview School House to help cut the cost of electric heat for that building. There was a suggestion from the Emergency Management Coordinator, Jack MacConnell that an alarm system should be installed in the building especially if they plan on closing it down for the winter months. He noted that the Parks and Recreation Committee are not in favor of the idea of a nursery school/daycare center renting the building. There was a very lengthy discussion regarding the Parks and Recreation Committees request. Deputy Mayor Niemann feels that the Township Committee should honor the Park and Recreation Committees request. She is in favor of closing the doors for the winter months if there is no solution regarding reducing the heating bills. The Township Committee stated that they support the Parks and Recreations decision to send a letter to the individuals that rent the building notifying them that they must be out by June 30, 2011. The Parks and Recreation Committee Secretary has been directed to prepare a letter informing the two individuals that currently use the facility of the decision. Deputy Mayor Burke will approve the letter before it is sent out.

Waterproofing at Municipal Building

Committeeman Burke noted that he spoke to Foreman, Mark Petro of the Department of Public Works regarding waterproofing the municipal building. Mark Petro feels that they would be able to do the job with no problem by excavating and putting drains in to help the drainage problem. He did explain that they may have to remove some of the bushes and hedges, which may not be able to be salvaged after the ground is dug up around the building. Jack MacConnell asked when the side door that enters into the municipal offices would be fixed. He explained that it was promised to be fixed for many years. Committeeman Burke explained that this will be a very complicated job. He stated that he has had about five contractors look at the building, and they feel that the whole corner needs to be replaced, which would be a very large expense to repair. There was some discussion on a possible vestibule attached to the door. Mr. Burke noted that it would make sense to repair the door into the municipal building at the same time the D.P.W. is working on the drainage around the building.

Telephone System at Municipal Building Quotation

Clerk MacConnell reported that nothing was new and there has been no contact from the gentleman that she was working with on the phone system. The Committee members requested that Clerk MacConnell obtain new quotes for a phone system.

Handbook Update

Deputy Mayor Niemann reported that the new company handbook issues have gone away. She will continue to pursue amending the handbook by February.

MINUTES

December 7, 2010 Regular Meeting

It was moved by Mrs. Niemann, seconded by Mr. Lubitz and carried to adopt the December 7, 2010 Regular Township Committee minutes.

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

EXECUTIVE SESSION – Resolution No. 2011-14

Executive Session – Resolution No. 2011 - 14

The following Resolution was introduced to enter into closed session at approximately 8:50P.M.:

RESOLUTION NO. 2011 – 14

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 – Zoning Issues – Chris’s Citgo, Krych
Potential Litigation – BI 19 L 5
Contract Negotiations – Renewal of DPW Local Union Agreement**

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, seconded by Mr. Burke and carried to adopt the foregoing Resolution.

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

RETURN TO REGULAR SESSION

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

Discussion re: Office Area for Zoning Official

C.F.O./Tax Collector and Construction Official Secretary Diane Laudenbach asked several questions regarding the office area for the new zoning official. There was a discussion regarding several topics for the preparation for his desk, computer and phone. Deputy Mayor Niemann noted that she will be speaking with the new zoning official, John Barczyk on the expectations of what is expected for the job, and other regulatory authorities. She stated that she will speak to both John Barczyk, and Bill Sidote regarding following up on the individual cases.

Employee Handbook Suggestion

Mayor Lubitz suggested a possible cleanup of language in the employee handbook in regard to the payout for sick days.

Preservation Sign for Gergar Property

Deputy Mayor Burke explained that he dropped off the preservation sign he had made for the Gergar property at the D.P.W. building. There was a discussion on where the sign would be posted on the property. The Committee members also discussed where the preservation sign should be put up on the Ukarish property. Deputy Mayor Burke stated that the D.P.W. feels that the sign should be facing Route 519 halfway between the firehouse and Union Road. The Committee members also discussed the dedication ceremony to be scheduled at the Gergar Property in the beginning of February for Helen Gergar. The Committee members announced that the proceeds from the sale of the farm will go into the Open Space Fund.

ADJOURNMENT

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to adjourn the meeting at 10:20PM. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Cynthia L. Keller, RMC
Deputy Clerk