

KINGWOOD TOWNSHIP COMMITTEE

MARCH 17, 2011

Special Meeting Agenda 5:00 PM

Call to Order

Roll Call

Pledge of Allegiance

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 March 10, 2011 and by telefaxing copies of the notice to the Express Times and Star Ledger on March 7, 2011. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on March 7, 2011.

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.

Ordinance No. 16-07-2011 Authorizing The Sale Of Surplus Land – Public Hearing and Final Adoption

Ordinance No. 16-09-2011 Authorizing The Sale Of Surplus Land – Introduction and Adoption on First Reading

Ordinance No. 16-10-2011 Amending Chapter 71-3(A)(3)(e), Uniform Construction Code Electrical Subcode Fee Schedule Of The Township – Introduction and Adoption On First Reading

Executive Session – Resolution No. 2011-44

Personnel – Contract Negotiations – DPW

Return to Regular Session

Public Comment – Privilege of the Floor

Adjournment

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**March 17, 2011
Township Committee
Special Meeting Minutes**

A Special Meeting of the Kingwood Township Committee was called to order at 5:00 P.M. with Mayor Lubitz.

Also present at the meeting were Deputy Mayor Burke, Committeewoman Niemann, and Clerk MacConnell. Following the salute to the Flag, Mayor Lubitz read aloud the following:

NOTICE REQUIREMENTS

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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.

ORDINANCE

ORDINANCE NO. 16-07-2011 AUTHORIZING THE SALE OF SURPLUS LAND
–Public Hearing and Final Adoption

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

This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on the 3rd day of March, 2011. The Ordinance was published in the Hunterdon County Democrat on March 10, 2011 and has been posted in the Kingwood Township Municipal Building on March 4, 2011. Copies of the Ordinance have been available for inspection by the public since March 4, 2011.

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried to open the hearing to the public. **All** voted **Aye** on **Roll Call Vote**.

Public Comments: No Comments

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It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to close the public comment portion of the hearing. **All voted Aye on Roll Call Vote.**

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried to adopt on final reading **ORDINANCE NO. 16-07-2011 AUTHORIZING THE SALE OF SURPLUS LAND.**

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

ORDINANCE

ORDINANCE NO. 16-09-2011 AN ORDINANCE AUTHORIZING THE SALE OF SURPLUS LAND– Introduction and Adoption on First Reading

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

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried to adopt on first reading **ORDINANCE NO. 16-09-2011 AN ORDINANCE AUTHORIZING THE SALE OF SURPLUS LAND.**

Mayor Lubitz explained that the contract with Max Spann Real Estate & Auction Co. did not allow the Township to proceed with its own sale. Deputy Mayor Niemann commented on the underground oil tank, and she is waiting to hear back from Earle Steeves, as to extent he thinks this will affect the sale price.

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, April 7, 2011 at a meeting beginning at 7:00 P.M. at the municipal building.

ORDINANCE

ORDINANCE NO. 16-10-2011 AMENDING CHAPTER 71-3(A)(3)(e), UNIFORM CONSTRUCTION CODE ELECTRICAL SUBCODE FEE SCHEDULE OF THE TOWNSHIP– Introduction and Adoption on First Reading

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

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried to adopt on first reading **ORDINANCE NO. 16-10-2011 AMENDING CHAPTER 71-3(A)(3)(e), UNIFORM CONSTRUCTION CODE ELECTRICAL SUBCODE FEE SCHEDULE OF THE TOWNSHIP.**

Mayor Lubitz stated that this was from a model ordinance from the State regarding photovoltaic systems. It was noted that the State had made an error that greatly undervalued the fee charged. The Committee noted that Tax Assessor, David Gill is now working on how they will be taxed. It was discussed that the Construction Official, Mark Fornaciari will hire a contractor to finish the records room upstairs in the Township garage, and that this will be paid for out of his construction budget.

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, April 7, 2011 at a meeting beginning at 7:00 P.M. at the municipal building.

EXECUTIVE SESSION – Resolution No. 2011-44

The following Resolution was introduced to enter into closed session at approximately 5:15P.M.:

RESOLUTION NO. 2011 – 44

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 – Contract Negotiations – DPW

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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.

RETURN TO REGULAR SESSION

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to return to regular session at 5:28P.M. **All voted Aye on Roll Call Vote.**

Public Comment – Privilege of the Floor

ADJOURNMENT

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to adjourn the meeting at 5:29PM. **All voted Aye on Roll Call Vote.**

Respectfully submitted,

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