

KINGWOOD TOWNSHIP COMMITTEE

APRIL 2, 2012

Regular Meeting Agenda 7:00PM

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 29, 2012 and by telefaxing copies of the notice to the Express Times and Star Ledger on March 26, 2012. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on March 26, 2012.

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.

Discuss Park Director Position

2012 Municipal Budget:

- Resolution No. 2012-28 – Clean Communities 2011 Reserve
- Resolution No. 2012-29 – Clean Communities 2012 Grant
- Resolution No. 2012-30 – Cable TV Franchise Grant
- Resolution No. 2012-31 – Deferral of KTS Taxes
- Resolution No. 2012-32 – Deferral of DVRHS Taxes
- Vote to Adopt Budget Resolution to Introduce Budget**

Correspondence

Copy of Resolution from Readington Twp re: S1085 Forest Harvest on State Lands – Carried Over From March Mtg **Resolution No. 2012 – 39 Opposition to S1085 Forest Harvest on State Lands**

Letter from KT Open Space Advisory Committee & KT Agriculture Advisory Committee re: Opposition to S1085

Letter & Copy of Resolution from Readington Twp re: Restoration of Paris Grants Funding Program – **Resolution N. 2012 – 40 Urging Restoration of Funding to the Paris Grants Program**

Letter & Copy of Resolution from Clinton Twp re: Requesting Amendments to OPRA

Letter & Copy of Resolution from Clinton Twp re: Requesting Public Hearings

April 2, 2012 Township Committee Agenda Continued

Letter & Copy of Resolution from Alexandria Twp re: Voter Referendum for Apportionment of DVRHS Appropriations – **Resolution No. 2012 – 41 Voter Referendum for Apportionment of School District Appropriations**

Copy of Resolution from Union Twp re: A1338 & S743 Permit Extension Act – **Resolution No. 2012 – 42 Opposition to A1338 and S743 Extending and Expanding Permit Extension Act of 2008**

Letter from River-To-Sea re: 17th Annual Relay Race

Letter and Info from Hunterdon Cty Div of Public Hlth Servs re: Mosquito Control Program

Letter and Info from AgAir re: Pennsylvania Black Fly Suppression Program

Resolution No. 2012-33 – 2012 Temporary Appropriations

Bills and Claims

Public Comment – Privilege of the Floor

Reports

Tax Collector's Report of February 2012

Construction Reports of February & March 2012

Township Engineer's Monthly Report

Dog Licensing Report

Animal Control Report

Annual Bd of Adjustment Report on Variance Applications

Discussion on Road Repairs on Horseshoe Bend Road

Mayor to Meet in the Future

Future Meetings & Activities

April 11 - Deadline to Change Party Affiliation to Vote in June Primary

April 12 - Drawing by Municipal Clerk for Ballot Position in June Primary beginning at 3:00PM

April 19 - Open Public Meeting for Horseshoe Bend Park Input, beginning at 7:00pm at Kingwood Township School Library

May 3 - Monthly Township Committee Meeting at Municipal Building beginning at 7:00pm

May 12 - Recycling at Township Garage from 9:00am-12:00noon

May 12 - Clean Up Program at Township Garage from 9:00am-12:00noon, permit required

June 9 - Annual Fishing Derby from 9:00am until noon, at the Pond behind the NEW DPW, Union Rd.

April 2, 2012 Township Committee Agenda Continued

Ordinances

Ordinance No. 17-05-2012 Amending Ordinance No. 14-23-2007, 15-13-2009 And 16-12-2011 Providing For The Acquisition Of Open Space By The Township Of Kingwood, Appropriating \$4,500,545.88 Therefore And Authorizing The Issuance Of \$950,000 Bonds Or Notes Of The Township For Financing The Cost Thereof – Public Hearing and Final Adoption

Ordinance No. 17-06-2012 Authorizing The Private Sale Of Block 19 Lot 5 Owned By The Township Of Kingwood To Raritan Valley Habitat For Humanity – Public Hearing and Final Adoption

Ordinance No. 17-07-2012 Fixing The Salaries And Compensation Of The Various Officers And Employees Of The Township – Public Hearing and Final Adoption

Ordinance No. 17-08-2012 Authorizing The Solicitation Of Charitable Contributions On Roadways Or Highways Within The Township Of Kingwood And Establishing Procedures For The Same – Introduction and Adoption on First Reading

Resolutions

Resolution No. 2012-34 - Duplicate Tax Payment Refund Bl 34 L 10.02
Resolution No. 2012-35 - Tax Sale Redemption Bl 36 L 4
Resolution No. 2012-36 - Bd of Adj Escrow Replenishment Bl 19 L 4.02
Resolution No. 2012-37 - Cancellation of Reserve for Revaluation
Resolution No. 2012-38 - Older Americans Month

New Business

Request from Laurelton Belmont Properties, LLC re: Hidden Orchard Estates Bl 22 L 16
Recommendation from KT Open Space Advisory Committee & KT Agriculture Advisory Committee to Approve Participation with Hunterdon Cty Soil Conservation Application for Free Assistance
Application for Special Permit for Social Affair – St. Anna Greek Orthodox Church
Approve Establishing Credit Account with Tractor Supply
Discuss Projector for Municipal Building
Discuss Lock Box for Municipal Building
Award Electric Work to Install Generator at DPW Building

Old Business

Discuss COAH Funds
Discuss IRS Letter of Ruling
Board of Adjustment for Ukarish Property

April 2, 2012 Township Committee Agenda Continued

Personnel

Vote to Employ Office Assistant
Vote to Employ Grass Cutter
Training for DPW Supervisor and Township Clerk

Minutes

February 2, 2012 Regular Meeting
February 9, 2012 Special Meeting
February 9, 2012 Executive Session
March 1, 2012 Regular Meeting
March 1, 2012 Executive Session
March 8, 2002 Special Meeting

C.F.O. Comments

Adjournment

PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES

2012 -

April 2, 2012

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

Also present at the meeting were Deputy Mayor Lubitz, Committeewoman Diana Haywood, Attorney Judith Kopen, C.F.O. Diane Laudenbach, Deputy Clerk Cynthia Keller and Clerk Mary E. MacConnell. Mayor Niemann 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 and Courier News on March 29, 2012 and by telefaxing copies of the notice to the Express Times and Star Ledger on March 26, 2012. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on March 26, 2012.

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.

Mayor Niemann asked for anyone that had a cell phone to please take a moment and turn them off or to silence them.

Discuss Park Director Position

Mayor Niemann explained that the Township's prospective Park Directors were present this evening. She explained that the Township sent Jeffrey A. Frischer a letter explaining that due to the results of his criminal history background check, which was required as a pre-condition to employment with the Township as Park Director, the Township Committee needs to discuss these results. She explained that the Township was required to provide Mr. Frischer with an opportunity to confirm or deny the accuracy of the information contained in the criminal history record and that he would be discussed at this meeting of April 2, 2012. The Township, by law, is obligated to give Mr. Frischer the opportunity to choose to be discussed in public session or executive session. Mr. Frischer has chosen to be discussed in open session at this meeting this evening.

Attorney Kopen confirmed for the record for Mr. Frischer that the discussion will take place in public session and will be a matter of public record.

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She also explained that he will be waiving any right to privacy that he may otherwise have if the matter was discussed in executive session or in court, including comments the Governing Body may have as to how they want to proceed or any of Mr. Frischer's background. Mr. Jeffrey Frischer stated that he did not have a problem with this discussion being held in open session. Mayor Niemann stated that the township has received his background check and there is information on it that the township is concerned about. Jeffrey Frischer explained that this was a long time ago when he was young and he has changed his whole life totally. He thinks of the past as another part of his life and did not feel this would be a problem. He explained that he must have federal background checks often with his current job, because he is hauling hazardous substances, oil, and chemicals. Mayor Niemann stated that their main concern is that he did not bring it up at all at the time of the interview. She explained that the Park Director's job is very different from his current job, and that he will be dealing with the public on a daily basis and that her main concern is that he wasn't totally forthcoming. There was some discussion between Mayor Niemann and Brenda Bishop regarding being told at the interview that they would be asked to take a background check. There was a bit more discussion on how often Jeffrey gets tested at his current job. Mayor Niemann stated that she felt that considering Jeffrey's proximity to the public and operating machinery on township property that his background may create an unacceptable risk. Deputy Mayor Lubitz asked Attorney Kopen if it would be possible to make additional conditions for employment above what is in the Township's Handbook and Personnel Manual. Attorney Kopen responded by saying that an employee that is under a probationary period could get several tests during that probation period and that would be fine. Deputy Mayor Lubitz explained that the random drug testing was decided in the Handbook to go beyond the DPW, who has this random test performed several times a year. He noted that Mr. Frischer has not had a problem for in many years, and does not have a problem with whatever the township would want him to do regarding testing. Mayor Niemann asked Chairman of the Parks and Recreation Committee, Ron Hartpence if he had any comments regarding the prospective park directors. Ron Hartpence, stated that he has known Brenda Bishop for a very long time and feels that they would do a great job for the township. He suggested that the township committee require random drug/alcohol tests during his probation.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to hire Jeffrey Frischer and Brenda Bishop as the Township's Park Directors on the condition that both have a monthly random alcohol/drug test during the 90 day probation period, and also to be random following that period.

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

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RESOLUTIONS

Resolution No. 2012-28 – Clean Communities 2011 Reserve

The following Resolution was introduced:

RESOLUTION NO. 2012 – 28

CLEAN COMMUNITIES – 2011 RESERVE

WHEREAS, the Township of Kingwood desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$13,977.86; and

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2012 Budget under the following caption:

Clean Communities-2011 Reserve

BE IT FURTHER RESOLVED that **TWO** certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services.

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

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

RESOLUTION

Resolution No. 2012-29 – Clean Communities 2012 Grant

The following Resolution was introduced:

RESOLUTION NO. 2012 – 29

CLEAN COMMUNITIES – 2012 GRANT

WHEREAS, the Township of Kingwood desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$14,018.21; and

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THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2012 Budget under the following caption:

Clean Communities-2012 Grant

BE IT FURTHER RESOLVED that TWO certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services.

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

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

RESOLUTION

Resolution No. 2012-30 – Cable TV Franchise Grant

The following Resolution was introduced:

RESOLUTION NO. 2012 - 30

WHEREAS, the Township of Kingwood desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$9,245.00; and

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2012 Budget under the following caption:

Cable TV Franchise Fee

BE IT FURTHER RESOLVED that TWO certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services.

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

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

2012 –

RESOLUTION

Resolution No. 2012-31 – Deferral of KTS Taxes

The following Resolution was introduced:

RESOLUTION NO. 2012 – 31

DEFERRAL OF TAXES

KINGWOOD TOWNSHIP SCHOOL

WHEREAS, regulations of the State of New Jersey provide for the deferral of school taxes in an amount not to exceed fifty percent of the annual school tax levy when such taxes are raised on a fiscal year basis (school year July 1 through June 30); and

WHEREAS, said taxes subject to deferral have not been requisitioned by or paid to the school district; and

WHEREAS, it is the desire and intent of the governing body of the Township of Kingwood, County of Hunterdon, to avail the Township of the deferral as permitted by regulations promulgated by the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs; and

WHEREAS, fifty percent of the school tax levy of the Kingwood School District is \$2,712,820.00;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood, County of Hunterdon, hereby authorizes the Chief Financial Officer of the Township to defer \$1,193,640.80 of school taxes as permitted by the aforementioned regulation; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to the Chief Financial Officer of the Township and the Director of the Division of Local Government Services, Department of Community Affairs.

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

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

RESOLUTION

Resolution No. 2012-32 – Deferral of DVRHS Taxes

The following Resolution was introduced:

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RESOLUTION NO. 2012 – 32

**DEFERRAL OF TAXES
DELAWARE VALLEY REGIONAL HIGH SCHOOL**

WHEREAS, regulations of the State of New Jersey provide for the deferral of school taxes in an amount not to exceed fifty percent of the annual school tax levy when such taxes are raised on a fiscal year basis (school year July 1 through June 30); and

WHEREAS, said taxes subject to deferral have not been requisitioned by or paid to the school district; and

WHEREAS, it is the desire and intent of the Township Committee of the Township of Kingwood, County of Hunterdon, to avail the Township of the deferral as permitted by regulations promulgated by the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs; and

WHEREAS, fifty percent of the school tax levy of the Delaware Valley Regional High School District is \$1,670,345.41

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood, County of Hunterdon, hereby authorizes the Chief Financial Officer of the Township to defer \$734,951.98 of school taxes as permitted by the aforementioned regulation; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to the Chief Financial Officer of the Township and the Director of the Division of Local Government Services, Department of Community Affairs.

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

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

Vote to Adopt Budget Resolution to Introduce Budget

Mayor Niemann read aloud the Budget Resolution which was adopted on first reading.

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to introduce the Municipal Budget for 2012 on first reading.

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

CORRESPONDENCE

Copy of Resolution from Readington Twp re: S1085 Forest Harvest on State Lands – Carried Over From March Meeting – Resolution No. 2012 - 39

Mayor Niemann would like to encourage the Township Committee to introduce and adopt a similar Resolution as Readington Townships.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 39

OPPOSITION TO S1085 FOREST HARVEST ON STATE LANDS

WHEREAS, State Legislators are considering a bill that would open New Jersey’s prized State owned lands to commercial logging, (S1085, Forest Harvest on State Lands); and

WHEREAS, New Jersey’s State lands, including its parks, wildlife management areas and forested Green Acres Lands have been set aside for conservation and recreation purposes; and

Whereas, these forested State lands were paid for and preserved with the support of a trusting public, which assumed they would be protected from commercial exploitation; and

Whereas, the towering hardwood trees growing in our State parks and forests contribute a far greater ecological and recreational value to the citizens of the State than they would if they were to be cut and sold as commercial lumber; and

Whereas, according to information provided by the NJDEP, at the end of the five year contract for the proposed Forest Harvest Program, a 2.7 million net operating deficit is projected due to the high cost of oversight; and

Whereas, commercial logging is likely to cause damage to roads, streams and drainage swales in State lands that will cost money to restore, and cause soil compaction and disturbance of the fragile ecosystem on the forest floor that will be impossible to restore; and

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Whereas, 37 PhD biologists, forest scientists and ecologists from across the State have signed a letter in opposition to this bill, agreeing that commercial timber harvesting would be detrimental to the public forests; and

Whereas, this bill does not properly address the most serious threat to today’s forests, which is that common hardwood species such as oaks, hickory poplar and birch, among others, are not regenerating due to high deer densities; and

Whereas, because of high deer densities, openings in the forest canopy, occurring as a result of timber harvesting, are colonized not by young hardwood trees but by noxious weeds, typically vines, briars and invasive plants from Asia; and

Whereas, opening State lands to commercial logging would be detrimental to the flora and fauna, including the threatened and endangered species that presently inhabit these lands;

Now, Therefore, Be it Resolved that the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey hereby finds and declares that the commercial exploitation of public lands that have been set aside for conservation and recreation purposes is a betrayal of the public trust; and

Be It Further Resolved that the Kingwood Township Committee urges the legislators of the State of New Jersey to vote NO to S1085 Forest Harvest on State Lands.

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

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

Letter from KT Open Space Advisory Committee & KT Agriculture Advisory Committee re: Opposition to S1085

Mayor Niemann reviewed the letter from the Open Space and Ag Advisory Committees.

Letter & Copy of Resolution from Readington Twp re: Restoration of Paris Grants Funding Program - Resolution No. 2012 - 40

RESOLUTION

The following Resolution was introduced:

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RESOLUTION NO. 2012 – 40

**URGING RESTORATION OF FUNDING TO THE
PARIS GRANTS PROGRAM**

Whereas, the New Jersey State Legislature established a grant program in P.L. 2003, c. 17, Sections 38 and 39, funded by the New Jersey Public Records Preservation Account, a dedicated fund to support public records management, preservation and storage, and to support the development and improvement of the public archives and records infrastructure of county and municipal governments; and

Whereas, a portion of these funds (maximum of 40 percent) were reserved annually for the local government records management grant program, to be awarded annually to county and municipal governments; and

Whereas, the purpose of the PARIS Grants Program was to serve as a catalyst in the establishment, enhancement and/or expansion of county and municipal public records management, preservation and storage programs; and

Whereas, this grant program was introduced as a result of a fee increase in 2003, which also included a statutory requirement P.L. 2001, c. 370 (S-553) which increased all constitutional officers' salaries "not less than 65 percent of the annual salary of the Judge of the Superior Court," (currently, \$107,250.00); and

Whereas, Hunterdon County had received grant awards totaling \$4.9 million dollars for grant years 2005 through 2009 (five (5) grant cycles); and

Whereas, these PARIS grant awards enabled Hunterdon County to dramatically improve the management, preservation and storage of public records, as well as the records infrastructure of Hunterdon; and

Whereas, Hunterdon County included in this effort a "shared services" model for municipal records storage for all 26 municipalities, including Kingwood Township; and

Whereas, in State FY2010 and FY2011 no grant applications or awards were accepted or awarded; and

Whereas, P. L. 2003, c. 117, Sections 38 and 39 have not been repealed and are still good law; and

Whereas, in the Report of the Transition Subcommittee on the Department of State, the subcommittee states "The Legislature has inappropriately raided and diverted the trust funds. Treasury and OMB have not accounted for or deposited the trust collections since May of 2009.

The dedicated fund and program must be protected and expanded to complete projects underway from the staged initial grants.”; and

Now, Therefore, Be It Resolved that the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey respectfully requests that PARIS Grants funding be restored to Hunterdon County and all counties as legislated in P.L. 2003, c. 117, Sections 38 and 39, and thereby make records management services available through the County to the municipalities of Hunterdon County, including Kingwood Township;

Be It Further Resolved that copies of this Resolution shall be forwarded to Governor Christie, State Senator Doherty, Assemblymen Peterson and DiMaio, all Hunterdon County Municipalities and the New Jersey State League of Municipalities.

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

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

Letter & Copy of Resolution from Clinton Twp re: Requesting Amendments to OPRA

The Committee Members would like this tabled until next month’s meeting.

Letter & Copy of Resolution from Clinton Twp re: Requesting Public Hearings

Mayor Niemann reviewed.

Letter & Copy of Resolution from Alexandria Twp re: Voter Referendum for Apportionment of DVRHS Appropriations **Resolution No. 2012 – 41**

There was a brief discussion on the voter referendum. Mayor Niemann explained that all of the five municipalities must be in favor and agree. She noted that there is no chance if it is never on the ballot. Deputy Mayor Lubitz stated that this is a step in the right direction.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 41

2012 –

**VOTER REFERENDUM FOR APPORTIONMENT OF
SCHOOL DISTRICT APPROPRIATIONS**

Whereas, the Township of Kingwood is a member of the Delaware Valley Regional High School District, which is a regional school district and includes as its members the Townships of Alexandria, Holland and Kingwood and the Boroughs of Frenchtown and Milford; and

Whereas, the regional school district currently apportions the annual and special appropriations amongst the member municipalities based upon the portion of each municipality's equalized valuation allocated to the regional district and pupil count; and

Whereas, based upon the current formula, the amounts raised in the member municipalities are based upon municipal equalized valuation (rather than a uniform cost per pupil formula) and the Township believes that the current formula unfairly proportions the tax burden amongst the several participating municipal taxpayers; and

Whereas, Kingwood Township desires to have the apportionment formula amended so that it is based upon per pupil enrollment so as to fairly distribute the cost to each member municipality based upon the number of students; and

Whereas, Kingwood Township desires to adopt this Resolution to request the Delaware Valley Regional High School District to place a question on the ballot, to be approved by the voters at the next school election, pursuant to N.J.S.A. 18A-13-23.3 to amend the manner in which amounts are raised for annual and special appropriations for the District based on a per pupil formula;

Now, Therefore, Be It Resolved by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that:

1. The Kingwood Township Committee formally requests the Delaware Valley Regional High School Board to place the following question (in a form approvable for ballot and pursuant to N.J.S.A. 18A-13-23.3) on the next school election ballot:

“Should the annual or special appropriations for the Delaware Valley Regional High School District be amended to be apportioned among the municipalities included within the regional district upon the basis of the proportional number of pupils enrolled from each municipality on the 15th day of October of the prebudget year in the same manner as would apply if each municipality comprised separate constituent school districts”?

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- 2. A certified copy of this Resolution shall be mailed to the Municipal Clerk and Governing Body of the Townships of Alexandria and Holland and to the Boroughs of Frenchtown and Milford, and to the President and Board of Education of the Delaware Valley Regional High School District.

This Resolution shall take effect immediately upon adoption.

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

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

Copy of Resolution from Union Twp re: A1338 & S743 Permit Extension Act - **Resolution No. 2012 - 42**

The Township Committee briefly reviewed and stated that they would like to support this resolution.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 42

**OPPOSITION TO A1338 AND S743
EXTENDING AND EXPANDING PERMIT
EXTENSION ACT OF 2008**

Whereas, the New Jersey Assembly Housing and Local Government Committee has amended and approved A1338, which would further extend the provisions of the Permit Extension Act an additional two years, until December 31, 2014, which means that most governmental approvals would be extended until 2014 unless exempted by the 2008 Act; and

Whereas, the proposed legislation is more than just a simple extension of the current Act; and

Whereas, the Kingwood Township Committee believes that approvals of the type extended by the Permit Extension Act should result from a legitimate planning process, not a legislative determination, and Kingwood Township accordingly objects to the overly broad definition of “extension area” in the bill; and

Whereas, A1338 and S743 are supported by the pro-development community, but are opposed by many advocates of environmentally sound local planning, including the New Jersey State League of Municipalities and the Association of New Jersey Environmental Commissions;

Now, Therefore, Be it Resolved that the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey expresses its opposition to A1338 and S743 for the following reasons:

1. The proposed legislation would **expand** the original Act to include the entire Highlands Planning Area, Planning Area 4 (rural) and Planning Area 3 (fringe planning area) through an expanded definition of the term “extension area”.
2. The proposed additional extension of the Permit Extension Act allows developers whose project approvals have expired, or are due to expire, to avoid returning for review before municipal boards. Therefore, developers would not have to amend their plans to account for any changes in environmental regulations, public health standards, building codes or local zoning that have occurred since the original approval, creating a potentially detrimental effect as projects are built out based upon potentially outdated laws or practices.
3. The proposed legislation undermines good and proper planning procedures by denying municipalities and their residents the opportunity to address changing conditions in their environment and to participate in the continuing planning process, years after the subject approvals should normally have expired.

Be It Further Resolved that copies of this Resolution shall be forwarded to Governor Christie, State Senator Doherty, Assemblymen Peterson and DiMaio, to each of the municipalities in Hunterdon County, to the New Jersey State League of Municipalities and to the Association of New Jersey Environmental Commissions;

Be It Finally Resolved that this Resolution shall take effect immediately upon adoption.

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

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

2012 –

Letter from River-To-Sea re: 17th Annual Relay Race

Mayor Niemann reviewed and stated that this race has been coming to Kingwood for many years. The Township Committee had no objections to the race that will be occurring in Kingwood Township on Saturday, August 4, 2012.

Letter and Info from Hunterdon Cty Div of Public Hlth Servs re: Mosquito Control Program

Mayor Niemann reviewed the letter from Hunterdon County regarding the mosquito control program. She noted that this information should be posted on the website.

Letter and Info from AgAir re: Pennsylvania Black Fly Suppression Program

Mayor Niemann reviewed the letter from AgAir LLC regarding the Pennsylvania black fly suppression program. She noted that this information should be posted on the website.

RESOLUTION

Resolution No. 2012-33 – 2012 Temporary Appropriations

The following Resolution was introduced:

RESOLUTION NO. 2012 – 33

2012 TEMPORARY APPROPRIATIONS

WHEREAS, the 2012 Budget of the Township of Kingwood has not been adopted and the appropriations provided for in Resolution No. 2012-02 are insufficient to cover the expenses in April of 2012; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Temporary 2012 Budget Appropriations be raised by the statutory one-twelfth (1/12th).

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

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

BILLS AND CLAIMS

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve and pay all bills and claims in the amount of \$ **588, 578.81** that are in order and attached as Bill List for April 2012.

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

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Ron Hartpence, 108 Hammar Road He explained that he has decided to come to the meeting to speak to the Township Committee regarding several topics. He stated that he often attends auctions and also has auctions himself, and sometimes comes across things that are interesting. He donated several antique postcards from Baptistown, NJ to the Township. The Committee Members thanked Mr. Hartpence for this donation and suggested that the Historical Society keep these postcards for safe keeping. He stated that he was also present this evening as the Chairman of the Parks and Recreation Committee with concerns about the new Horseshoe Bend Park. He discussed rumors that he had heard regarding horse organizations that were going to take the park over. He stated that he does realize that now it is being taken over by the Parks and Recreation Committee. He feels that Jack MacConnell and Richard Dodds who have been very involved with the Horseshoe Bend Park, have been doing a very good job. He stated his concerns regarding a community garden with a special water system he heard that is planned, which he understands will be maintained by residents from Frenchtown. He explained that he has not heard anything about this plan, and that no one has informed anyone on the Parks and Recreation Committee about any of the ideas that are planned if in fact there are plans being made. He noted that no information has been submitted to the Parks and Recreation Committee to use the facility, and feels that the Parks and Recreation Committee needs to be informed about the use of the Horseshoe Bend Park, if they are going to be responsible for that park. Mr. Hartpence feels that there should be rules and regulations about the leash free dog area, because of the concerns he has of the possible liability for dogs getting into fights or problems at the park. He would also like to see Jack MacConnell and Richard Dodds appointed to the Citizen Advisory Committee to the Parks and Recreation Committee, because he stated that he feels that they should be a part of the committee in an official way. Deputy Mayor Lubitz explained that initially there was a subcommittee formed for the new park to make recommendations for its operation and use, but does not foresee this subcommittee lasting in the future. He stated that is why they asked David Hewitt from the Parks and Recreation Commission to be on the subcommittee. Mayor Niemann explained that she agrees that the Parks and Recreation Committee should be informed about everything that goes on at the Horseshoe Bend Park. She explained that the Township was not sure what was planned for the new park, and that is why the subcommittee was formed so they could talk about the different options and ideas.

2012 –

She explained that the township has planned open public meetings to get ideas from the residents as to what they would like to have at the park for their use. Mayor Niemann noted that the next meeting is scheduled at the Kingwood Township School on April 19, 2012 at 7:00PM. She also stated that Richard Dodds will be attending the Parks and Recreation meeting this week to talk to the committee about the Horseshoe Bend Park.

Jack MacConnell, Emergency Management Coordinator Reported on a situation that he is concerned about, which is on Creek Road. He stated that it is not geologically sound right now. He explained that Kingwood Township only owns a very small stretch between Frenchtown Borough and Alexandria Township, and suggested that the Township have the Township's engineer take a look at the road. Mr. MacConnell mentioned the dam at Lake Nockamixon, and stated that if it should ever break, even the houses in Byram that have been raised will get hit hard because of the height of the water. He suggested that the Township think about a siren for the Byram area so it will be a little safer for the residents in that area. He noted that FEMA has been working with him and that it is possible that the Township will receive money back that they lost during the storms. He also mentioned that since he has been locking the gate at the Horseshoe Bend Park, there have been no problems or vandalism to report.

REPORTS

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

Tax Collector's Report of February 2012

Construction Reports of February & March 2012

Township Engineer's Monthly Report

Dog Licensing Report

Animal Control Report

Annual Board of Adjustment Report on Variance Applications

Mayor Niemann reviewed the application regarding the helistop, and recommendations the Board of Adjustment had for the Planning Board and the Township Committee. She recommended that this be forwarded to the Planning Board for review.

Discussion on Road Repairs on Horseshoe Bend Road

Deputy Mayor Lubitz stated that Frenchtown did not get their grant for the repairs needed on their portion of Horseshoe Bend Road. He noted that the Road Department in Frenchtown will be looking to use a building for their equipment. He explained that they asked about the buildings at Horseshoe Bend Park and would possibly be interested in renting one of them.

Mayors to Meet in the Future

Mayor Niemann explained that the Mayors from the five municipalities for Del Val High School are trying to get together on a regular basis to share notes.

2012 –

She explained that they would like to see if there are areas that they can all work together. She stated that so far the only thing that they have shared is that none of the municipalities have an administrator in our offices. Mayor Niemann asked the Township's C.F.O. to look into the cost for an administrator. She stated that several of the municipalities will be looking into this as well.

FUTURE MEETINGS AND ACTIVITIES

Mayor Niemann reviewed as per the Agenda.

ORDINANCES

ORDINANCE NO. 17-05-2012 AMENDING ORDINANCE NO. 14-23-2007, 15-13-2009 AND 16-12-2011 PROVIDING FOR THE ACQUISITION OF OPEN SPACE BY THE TOWNSHIP OF KINGWOOD, APPROPRIATING \$4,500,545.88 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF – Public Hearing and Final Adoption

Mayor Niemann read aloud the following 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 2nd day of February, 2012. The Ordinance was published in the Hunterdon County Democrat on February 16, 2012 and has been posted in the Kingwood Township Municipal Building on February 13, 2012. The public hearing and final passage was advertised to be held at a meeting on the 1st day of March, 2012, however, the public hearing and final passage did not take place on that date. Copies of the Ordinance have been available for inspection by the public since February 13, 2012.

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

Comments: None

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to close the hearing to the public. **All voted Aye on Roll Call Vote.**

ORDINANCE NO. 17 - 05 - 2012

2012 –

AN ORDINANCE AMENDING ORDINANCE NO. 14-23-2007, 15-13-2009 and 16-12-2011 PROVIDING FOR THE ACQUISITION OF OPEN SPACE BY THE TOWNSHIP OF KINGWOOD, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$4,500,545.88 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

BE IT ORDAINED by the Township Committee of the Township of Kingwood in the County of Hunterdon, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The improvement described in Section 3 of this Bond Ordinance is hereby authorized to be undertaken by the Township of Kingwood, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$4,500,545.88 including the sum of \$50,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$950,000 pursuant to the Local Bond Law, receipt of a grant from the State of New Jersey, Green Acres in the amount of \$3,265,330.81, Natural Resource of NJ DEP Grant in the amount of \$150,000.00, County Open Space Funds in the amount of \$85,215.07 . In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is The Acquisition of Open Space consisting of Block 14, Lot 30.01.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that none shall mature later than one year from its date. The notes shall bear interest at such rate and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this Ordinance, and the Chief Financial Officer's signature upon the note shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time subject to the provisions of NJSA 40A:2-8(a).

The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof.

The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this Ordinance is made.

Such report must include the amount, description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this Bond Ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of this cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this Ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this Bond Ordinance by \$950,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000, for items of expense listed in and permitted under NJSA 40A:2-20 is included in the estimated cost indicated herein for the purpose of improvement.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

2012 –

Section 7. This Bond Ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by the Local Bond Law.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt on final reading Ordinance No. 17-05-2012 with amendments.

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

ORDINANCE

ORDINANCE NO. 17-06-2012 AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF BLOCK 19, LOT 5 OWNED BY THE TOWNSHIP OF KINGWOOD TO RARITAN VALLEY HABITAT FOR HUMANITY – Public Hearing and Final Adoption

Mayor Niemann read aloud the following 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 1st day of March, 2012. The Ordinance was published in the Hunterdon County Democrat on March 22, 2012, and has been posted in the Kingwood Township Municipal Building on March 2nd, 2012. Copies of the Ordinance have been available for inspection by the public since March 2nd, 2012.

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

Comments:

Frank Floyd, County Rd. 519 asked the Committee Members about the wording for no less than four units, because he thought it was supposed to be six. Mayor Niemann responded by explaining that this was because in the event that the property could not carry the six units, that they wanted to guarantee that there would be at least four.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to close the hearing to the public. **All** voted **Aye** on **Roll Call Vote**.

ORDINANCE NO. 17 – 06 - 2012

AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF BLOCK 19, LOT 5 OWNED BY THE TOWNSHIP OF KINGWOOD TO RARITAN VALLEY HABITAT FOR HUMANITY

WHEREAS, the Township of Kingwood (hereinafter, “Township”) entered into an agreement entitled, “AGREEMENT FOR THE PROVISION OF AFFORDABLE HOUSING” (hereinafter, “Agreement”) with Raritan Valley Habitat for Humanity, Inc. (hereinafter, “RVHFH”) dated May 29th, 2009, to facilitate the provision of affordable housing as part of the Township’s program for such housing pursuant to the Fair Housing Act, NJSA 52:27D-301 et seq.; and

WHEREAS, RVHFH represented to the Township that RVHFH is a New Jersey non-profit corporation in good standing which has a federal income tax exempt status, and whose corporate purposes include and significantly involve the provision of affordable housing.

RVHFH also represented to Township that it has experience in the provision of such housing; and

WHEREAS, The parties have the intention to utilize the Block 19, Lot 5, a tract of approximately 7.8 acres, which is the subject of this Agreement and is owned in fee simple by the Township, and is shown on the Tax Map of the Township of Kingwood, in the County of Hunterdon, New Jersey as Block 19, Lot 5, (hereinafter, the “Property”) subject to the satisfaction of various contingencies, for the construction, marketing, and sale of dwellings restricted for occupancy by low income households. It is a condition of the Township’s obligations under this Agreement that the housing created will entitle the Township to credit from the New Jersey Council on Affordable Housing (“COAH”) not less than four (4) units of low income housing, as such term is defined by COAH; and

WHEREAS, the Township has determined that Block 19, Lot 5 on the Tax Map of the Township of Kingwood is not needed for municipal purposes and wishes to convey the same to RVHFH, as authorized by N.J.S.A. 40A:12-21(j), for a nominal consideration, and containing a limitation that such lands or buildings shall be used only for the purposes of such organization or association, and to render such services or to provide such facilities as may be agreed upon, and not for commercial business, trade or manufacture, and that, unless waived, released, modified, or subordinated pursuant to P.L.1943, c. 33 (C.40:60-51.2), if said lands or buildings are not used in accordance with said limitation, title thereto shall revert to the municipality without any entry or reentry made thereon on behalf of such municipality, and

WHEREAS, RVHFH is a duly incorporated nonprofit organization for the purpose of building or rehabilitating residential property for resale pursuant to N.J.S.A. 40A:12-21 (j), and, therefore, any profits from the resale of the property shall be applied by the RVHFH to the costs of acquiring and rehabilitating other residential property in need of rehabilitation owned by a county or municipality.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey as follows:

1. The Mayor and Committee hereby authorize the sale, for nominal consideration, of the Property, a tract of approximately 7.8 acres, which is owned in fee simple by the Township, and is shown on the Tax Map of the Township of Kingwood, in the County of Hunterdon, New Jersey as Block 19, Lot 5, to Raritan Valley Habitat for Humanity, Inc., subject to the satisfaction of various contingencies as are set forth in more detail in the agreement entitled, “AGREEMENT FOR THE PROVISION OF AFFORDABLE HOUSING” (hereinafter, “Agreement”) with Raritan Valley Habitat for Humanity, Inc. (hereinafter, “RVHFH”) dated May 29th, 2009, with all authorized amendments thereto, to facilitate the provision of affordable housing as part of the Township’s program for such housing pursuant to the Fair Housing Act, NJSA 52:27D-301 et seq., for the construction, marketing, and sale of dwellings restricted for occupancy by low income households.
2. The Deed conveying the Property shall contain a limitation that the Property shall be used only for the purposes of RVHFH as are set forth in more detail in the Agreement, and not for commercial business, trade or manufacture, and that, unless waived, released, modified, or subordinated pursuant to P.L.1943, c. 33 (C.40:60-51.2), if said lands or buildings are not used in accordance with said limitation, title thereto shall revert to the municipality without any entry or reentry made thereon on behalf of such municipality
3. It is a material condition of the Township’s obligations under this Agreement that the housing created will entitle the Township to credit from the New Jersey Council on Affordable Housing (“COAH”) not less than four (4) units of low income housing, as such term is defined by COAH; and
4. The Mayor, the Clerk of the Township, the Chief Financial Officer, and any other proper official of the Township, be and each of them is hereby authorized to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary and proper for carrying out the transactions contemplated by the Agreement and this Ordinance
5. This Ordinance shall take effect immediately after final passage, approval and publication as provided by law.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt on final reading Ordinance No. 17-06-2012.

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

ORDINANCE

ORDINANCE NO. 17-07-2012 AN ORDINANCE FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY – Public Hearing and Final Adoption

Mayor Niemann read aloud the following 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 1st day of March, 2012.

The Ordinance was published in the Hunterdon County Democrat on March 22, 2012, and has been posted in the Kingwood Township Municipal Building on March 2nd, 2012. Copies of the Ordinance have been available for inspection by the public since March 2nd, 2012.

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

Comments: No comments.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to close the hearing to the public. **All voted Aye on Roll Call Vote.**

ORDINANCE NO. 17 – 07 - 2012

AN ORDINANCE FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY.

BE IT ORDAINED, by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, as follows:

ARTICLE 1. The salaries or compensation rates of the positions listed below are hereby fixed and determined:

Elective

Mayor	\$ 1,000.00
Committee Members	\$ 2,800.00

Administrative

Municipal Clerk	\$72,536.69
Deputy Clerk	\$50,409.46
Assessment Search Officer	\$ 3,731.00
Chief Financial Officer (including ARC)	\$37,351.17
Financial Clerk	\$12.00 per hour

2012 –

Tax Assessor	\$32,163.97
Farm Inspection Fee (2012)	\$ 3,250.00
Tax Collector	\$26,896.42
Tax Search Officer	\$ 3,731.00
General Code Enforcement Officer	\$ 4,100.00
Construction Code Official/Building/Building Inspector	\$21,321.00
Construction Code Technical Assistant	\$11,620.00
Electrical Subcode Official/Inspector	\$11,087.00
Fire Subcode Official/Inspector	\$ 6,929.00
	\$ 6,652.00

Plumbing Subcode Official/Inspector

Land Use

Planning Board Secretary	\$20,841.00
Board of Adjustment Secretary	\$ 6,609.50
Zoning Officer	\$11,000.00

Public Works Department

Road Supervisor	\$86,700.00
Working Foreman	Range \$27.00 - \$35.00
General Municipal Worker	Range \$15.00 - \$40.00

Municipal Court

Judge	\$14,750.00
Court Administrator/Violations Clerk	\$37,444.41
Prosecutor	\$11,820.00
Public Defender	\$ 3,345.00
Municipal Court Clerical Assistant	\$17.01 per hour
Municipal Court Security Officer	\$29.91 per hour

Miscellaneous

Clean Communities Coordinator	\$ 986.00
Board of Health Secretary	\$ 4,157.50
Parks and Recreation Secretary	\$ 3,500.00
Environmental Commission Secretary	\$ 2,425.00
Open Space/Agriculture Secretary	\$ 2,425.00
Affordable Housing Secretary	\$ 1,332.50
Registrar of Vital Statistics	\$ 2,089.00
Deputy Registrar of Vital Statistics	\$ 1,002.00

2012 –

Deputy Emergency Mgt. Coordinator	\$ 2,132.00
Recycling Coordinator	\$ 2,985.00
Dog Licensing Agent	\$ 2,354.50
Janitor	\$10,980.00
Animal Control Officer	\$ 9,315.00
Animal Canvasser	\$ 2,500.00
Municipal Housing Liaison	\$ 1.00

ARTICLE 2. For authorized use of an automobile, an official or employee shall be the amount set by the Internal Revenue Service. All other authorized travel expense reimbursements, training and educational reimbursements, overtime, health and disability insurance, absence, paid vacations, equipment allowances, emergency meal allowances and other benefits shall be set forth in the current Kingwood Township Personnel Manual, or in accordance with applicable law.

ARTICLE 3. In the event any section of this Ordinance shall be declared invalid, the remainder shall remain in full force and effect.

ARTICLE 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt on final reading Ordinance No. 17-06-2012.

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

ORDINANCE

ORDINANCE NO. 17 – 08 -2012 AUTHORIZING THE SOLICITATION OF CHARITABLE CONTRIBUTIONS ON ROADWAYS OR HIGHWAYS WITHIN THE TOWNSHIP OF KINGWOOD AND ESTABLISHING PROCEDURES FOR THE SAME

– Introduction and Adoption on First Reading

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

Mayor Niemann and Attorney Kopen noted there was some missing language after introducing last month. Attorney Kopen reviewed what that was, which was basically additional wording for the New Jersey State Police that is just a minor change. She noted that that is why this needs to be introduced again this evening, and at the next meeting it will be finally adopted. A member of the Fire Department, James Drake briefly commented on his experiences in Milford. There were some additional comments from Attorney Kopen.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt on first Reading **AUTHORIZING THE SOLICITATION OF CHARITABLE CONTRIBUTIONS ON ROADWAYS OR HIGHWAYS WITHIN THE TOWNSHIP OF KINGWOOD AND ESTABLISHING PROCEDURES FOR THE SAME.**

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

Consideration of final adoption at a public hearing is scheduled for Thursday, May 3, 2012 at a meeting beginning at 7:00 P.M. at the municipal building.

RESOLUTIONS

Resolution No. 2012-34 - Duplicate Tax Payment Refund Bl 34 L 10.02

The following Ordinance was introduced:

RESOLUTION NO. 2012 – 34

DUPLICATE TAX PAYMENT REFUND

WHEREAS, both the homeowner and the mortgage company paid the first quarter added assessment bill on Block 34, Lot 10.02; and

WHEREAS, the tax collector has received a request from the homeowner of Block 34, Lot 10.02 for the refund of the duplicate payment.

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 refund check in the amount of \$1646.11 to Michael and Nicole Palmquist, 26 Milltown Road, Stockton, New Jersey, 08559.

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

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

RESOLUTION

2012 –

Resolution No. 2012-35 - Tax Sale Redemption Bl 36 L 4

The following Resolution was introduced:

RESOLUTION NO. 2012 - 35

TAX SALE REDEMPTION

WHEREAS, the Tax Collector has received redemption monies in the amount of \$6500.96 to redeem Tax Sale Certificate No. 11-007 on Block 36, Lot 4; and

WHEREAS, the lienholder paid a premium in the amount of \$2100.00 at the time of sale.

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 \$8600.96 to US Bank Cust for Pro Capital, LLC, US Bank TLSG, 50 S. 16th Street, Philadelphia, PA, 19102 for the redemption of Tax Sale Certificate No. 11-007.

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

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

RESOLUTION

Resolution No. 2012-36 - Bd of Adjustment Escrow Replenishment Bl 19 L 4.02

The following Resolution was introduced:

RESOLUTION NO. 2012 – 36

BOARD OF ADJUSTMENT ESCROW REPLENISHMENT

WHEREAS, the Board of Adjustment Escrow paid two invoices from Lindabury, McCormick and Estabrook, each in the amount of \$52.00, without sufficient funds being available in the applicant’s escrow.

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 permitted to refund the Board of Adjustment Escrow from the Board of Adjustment Other Expense budget line item in the amount of \$104.00 to cover the above two payments made to Lindabury, McCormick and Estabrook.

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

Discussion: Deputy Mayor Lubitz expressed concern about the township paying someone else’s escrow bill. Mayor Niemann explained that Board of Adjustment Secretary, Barbara Wilson had attempted numerous times over a number of years to track down the applicant without success. Procedures have since been tightened up.

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

RESOLUTION

Resolution No. 2012-37 - Cancellation of Reserve for Revaluation

The following Resolution was introduced:

RESOLUTION NO. 2012 – 37

CANCELLATION OF RESERVE FOR REVALUATION OF REAL PROPERTY

WHEREAS, the Township Committee has determined the above project has been completed and the remaining balance should be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the balance of \$37,600 in the Reserve for Revaluation of Real Property be cancelled.

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

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

RESOLUTION

Resolution No. 2012-38 - Older Americans Month

2012 –

The following Resolution was introduced:

RESOLUTION NO. 2012 – 38

OLDER AMERICANS MONTH

WHEREAS, this Municipality includes a number of citizens aged 60 and older; and

WHEREAS, the 2012 theme is “**Never Too Old to Play!**”
In honor of older Americans; and

WHEREAS, the older adults in Kingwood Township have an important role in sharing knowledge, wisdom, and understanding of the history of our community through interactions with children, youth, and adults from other generations; and

WHEREAS, the fruits of knowledge and experience can be effectively transferred from generation to generation through meaningful social interactions; and

WHEREAS, their interactions with family, friends, and neighbors across generations enrich the lives of everyone involved; and

WHEREAS, our community can provide opportunities to enrich citizens young and old by:

- Emphasizing the value of including elders in public and family life
- Creating opportunities for older Americans to interact with people of different generations
- Providing services, technologies, and support systems that allow older adults to participate in social activities in the community

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood, Hunterdon County do hereby proclaim May 2012 to be Older Americans Month. We urge every citizen to take time this month to engage with our older citizens through enjoyable social interactions such as sports, games, contests, and other forms of play.

Deputy Mayor Lubitz stated that it may be a good idea to honor a resident of Kingwood Township. It was suggested to honor Mildred Wehr of the Historical Society with a proclamation, and present it to her at a Historical meeting. Mayor Niemann stated that this Proclamation will be adopted next month. The Committee Members all agreed this would be a great idea.

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

2012 –

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

NEW BUSINESS

Request from Laurelton Belmont Properties, LLC re: Hidden Orchard Estates Bl 22 L 16

Mayor Niemann recused herself from the meeting. Deputy Mayor Lubitz took over the meeting and explained that this had gone before the Planning Board. He explained that Attorney Kopen had previously written a letter on this subject back in 2008. Attorney Kopen stated that she had passed this letter on to their attorney, but stated that he could not be here tonight. She explained that he had communicated with her to meet in order to discuss the matter. She stated that she agreed to meet as long as his client would be willing to utilize the escrow to cover the costs. The Committee Members would like this tabled until next month's meeting.

Mayor Niemann returned back to the meeting at this time.

Recommendation from KT Open Space Advisory Committee & KT Agriculture Advisory

Mayor Niemann reviewed and explained that the Open Space Advisory Committee and the Agriculture Advisory Committees recommended that the Township Committee approve to participate with the assistance to complete the application to the Hunterdon County Soil Conservation, and to accept free technical assistance.

Committee to Approve Participation with Hunterdon County Soil Conservation

The Committee Members reviewed the request from the Open Space and Ag Committees to approve to participate with the assistance to complete the application to the Hunterdon County Soil Conservation to accept free technical assistance to develop a Conservation Plan. Mayor Niemann explained that this is the first step needed to be eligible for any programs.

Approval of Application for Free Assistance

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve to participate with the technical assistance and to complete the application to the Hunterdon County Soil Conservation.

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

Application for Special Permit for Social Affair – St. Anna Greek Orthodox Church

The Committee Members reviewed the application for a social affair permit for the St. Anna Greek Orthodox Church. She explained that this will be for a fundraiser they will be having at Razberry’s Banquet Center from June 29, 2012 – July 1, 2012 from 4:00PM - 10:00PM, 11:00A.M. - 10:00PM and from 12:00PM – 9:00PM.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve a social affair permit submitted for approval by the St. Anna Greek Orthodox Church for June 29th – July 1, 2012 at Razberry’s Banquet Center.

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

Approve Establishing Credit Account with Tractor Supply

C.F.O. Diane Laudenbach explained that Mark Petro, Supervisor of the D.P.W. had requested that the Township apply for an account with Tractor Supply in Flemington NJ. She noted that the State law does allow the Township to have accounts with small business retailers.

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to approve C.F.O. Laudenbach to apply for a small business account at Tractor Supply in Flemington for the D.P.W. to utilize.

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

Discuss Projector for Municipal Building

Mayor Niemann noted that it would be good to have our own projector for the use of presenting applications. She stated that Richard Dodds has supplied the Township the past several years with his projector for the Planning Board and Open Space and Ag meetings. She briefly reviewed a few quotations that Richard Dodds had obtained for the Township. She explained that the total expenditure for the projector would be \$2,095.86. C.F.O. Laudenbach explained that this will come out of the ordinance established for future renovations to the municipal building. There was a discussion on exploring for possible grants. Mayor Niemann noted that the Township needs to obtain an estimate to repair the downstairs door of the municipal building.

Discuss Lock Box for Municipal Building

2012 –

Clerk MacConnell explained that this was a request from the New Jersey State Police. She stated that they stopped by and requested that a lock box be installed outside the municipal building, so that they would be able to put their white copies inside the box when the building is closed. She also explained that the mailbox at the top of the ramp outside the municipal building is not secure. There was a brief discussion on what other municipalities have, and they suggested that the Clerk obtain quotations before making any decisions.

Award Electric Work to Install Generator at DPW Building

The Committee Members reviewed. They would like C.F.O. Laudenbach to speak to the Township's auditor to find out if this would be a capital expense. James Drake, a member of the Kingwood Fire Department was present at the meeting and suggested that the Township look into finding emergency management grants for the municipal building, the D.P.W. and the Fire Department.

OLD BUSINESS

Discuss COAH Funds

The Committee Members discussed COAH funds. Deputy Mayor Lubitz noted that there was a discrepancy between the Township's numbers and the States. He suggested that C.F.O. Laudenbach contact the State and discuss this matter and request to get something in writing. He stated that if the Township needs to spend these funds, we can go out to bid for paving, and build a cul-de-sac for the Ukarish property. He stated after speaking to the Supervisor of the D.P.W., that they will not be able to do that work. He noted that this money will come out of the affordable housing trust fund. He also talked about a home in the Township that maybe difficult to sell, therefore, it may be ideal for the ARC or possibly a home that could help us fulfill our affordable housing obligation. Deputy Mayor Lubitz noted that he will contact Judy Ronzo, who is a consultant for the ARC.

Discuss IRS Letter of Ruling

The Township's C.F.O. D. Laudenbach explained that she contacted the State and the Federal Government regarding the taxation. She stated that they are requiring two different things. She explained that the State Division of Taxation indicated that housing provided by an employer is taxable income, and that the Federal Government stated not if the employee is required to live in the home as part of their job that this would not be taxable. She noted that it is taxable through the State no matter what. The Committee Members suggested speaking to the Township's Auditor about this situation. There was some discussion on the value of the rent, and developing a written contract/lease, which needs to have eviction wording included and also incorporating description of responsibilities. Deputy Mayor Lubitz asked that this communication with the State and Federal Government be documented in personnel files.

Board of Adjustment for Ukarish Property

Attorney Kopen noted that she spoke with B.O.A. Attorney, David Pierce regarding possibly rescheduling the meeting date in April for April 17th or April 23rd if they can get enough members to attend. Deputy Mayor suggested contacting Habitat for Humanity with information on the new dates to meet. He noted that this is a significant matter for the Board of Adjustment to deal with, and would prefer that the Board do this at their regular meeting if it does not conflict with the construction starting date. Mayor Niemann offered to contact Habitat for Humanity and see if they have a strong concern or preference.

PERSONNEL

Vote to Employ Office Assistant

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to employ Lycia Costa as office assistant to Diane Laudenbach, pending a background check and drug and alcohol testing at \$12.00 per hour, for 9 hours per week.

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

Vote to Employ Seasonal Grass Cutter

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to employ Michael Gallagher as a part time seasonal worker to cut the grass on Township properties excluding the Kingwood Park grounds and subject to a background check and drug and alcohol testing at \$20.00 per hour.

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

Training for DPW Supervisor and Township Clerk

Deputy Mayor Lubitz suggested that the D.P.W. Supervisor and the Municipal Clerk go for training to detect any problems with employees.

MINUTES

February 2, 2012 Regular Meeting

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt the meeting minutes of the February 2, 2012 Regular Meeting for the Township Committee.

2012 –

Roll Call Vote:

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

February 9, 2012 Special Meeting

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt the meeting minutes of the February 9, 2012 Special Meeting for the Township Committee.

Roll Call Vote:

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

February 9, 2012 Executive Session

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt the meeting minutes of the February 9, 2012 Executive Session for the Township Committee.

Roll Call Vote:

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

March 1, 2012 Regular Meeting

The Township Committee would like more time to review these minutes and would like them tabled until next month's meeting for adoption.

March 1, 2012 Executive Session

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt the meeting minutes of the March 1, 2012 Executive Session for the Township Committee.

Roll Call Vote:

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

March 8, 2002 Special Meeting

2012 –

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the meeting minutes of the March 8, 2002 Special Meeting for the Township Committee.

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

C.F.O Comments

C.F.O. Diane Laudenbach noted that there will need to be a budget amendment for the next month's meeting. She asked the Committee Members if this amendment should be increased by taxes or taken out of the surplus. The Committee Members agreed that it should be taken out of the surplus.

ADJOURNMENT

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adjourn the meeting at 9:35P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Cynthia L. Keller, RMC
Deputy Clerk