

# KINGWOOD TOWNSHIP COMMITTEE

MAY 3, 2012

## Regular Meeting Agenda 7:00PM

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act by publication of the notice in the Hunterdon Democrat and Courier News on January 12, 2012 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 9, 2012. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 9, 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.

### Call to Order

### Roll Call

### Pledge of Allegiance

Letter from Property Owner re: Donation of Land

### 2012 Municipal Budget:

#### Public Hearing

**Resolution No. 2012-43** - Amend Budget

**Resolution No. 2012-44** – Final Adoption

**Resolution No. 2012-49** – Self Examination of Budget

### Correspondence

Copy of Resolution from Raritan Twp re: Supporting Proposal to Create Veterans Haven North Facility

Copy of Resolution from Readington Twp re: Public Hearings for the Flood Hazard Area Permit Application for the Transcontinental Gas Pipeline Company's Project

Copy of Resolution from Readington Twp re: Restoration of Municipal Energy Tax Receipts (also recv'd from W Amwell Twp)  
– **Resolution No. 2012 - 50**

Copy of Resolution from Union Twp re: Objecting to Use of 2001 State Plan Policy Map

Copy of Resolution from Califon Boro re: Study of School District Consolidation Alternatives in County

Letter & Info from Central Bucks Bicycle Club re: Annual Covered Bridges Ride

## **May 3, 2012 Township Committee Agenda Continued**

### **Bills and Claims**

### **Public Comment – Privilege of the Floor**

**Resolution No. 2012 – 52** Waiver to Serve Alcoholic Beverages at Kingwood Park

### **Reports**

Tax Collector's Report of March 2012  
Municipal Court Reports of February 2012 and March 2012  
Construction Report of April 2012  
Township Engineer's Monthly Report  
Dog Licensing Report  
Animal Control Report  
SREC Report  
Emergency Management Coordinator - Update

### **Future Meetings & Activities**

**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  
**May 15 -** Last Day to Register to Vote in June Primary Election  
**May 20 -** Dedication of Memorial Pavilion at Kingwood Park beginning at 1:00pm, ceremony at 2:00pm  
**May 29 -** Last Day to Apply for Mail-In Ballot for June Primary Election  
**June 2 -** Senior Citizen Picnic at Kingwood Park Pavilion beginning at 12:00pm  
**June 5 -** Primary Election Day, Voting at Kingwood Twp Fire Co from 6:00am – 8:00pm  
**June 7 -** Regular Monthly meeting of Township Committee at Municipal Building beginning at 7:00pm  
**June 9 -** Annual Fishing Derby from 9:00am until noon, at the Pond behind the NEW DPW, Union Rd.

### **Ordinances**

**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 – Public Hearing and Final Adoption**

### **Resolutions**

**Resolution No. 2012-45 -** Tax Sale Redemption Bl 17 L 9.01  
**Resolution No. 2012-46 -** Approve 2012 LOSAP Lists  
**Resolution No. 2012- 47 -** Award 2012 M&R Materials  
**Resolution No. 2012-53-** Agreement to Join Morris County Cooperative Pricing Council  
**Resolution No. 2012-48-** Proclamation for Mildred Wehr

## **May 3, 2012 Township Committee Agenda Continued**

### **New Business**

Request from Property Owner re: Bl 51 L 45 Waiver of COAH Fees  
Application for Raffle License – Saint Anna Greek Orthodox Church  
Application for Raffle License – Flemington Woman’s Club  
Request from KTS - Sponsor and Present Social Studies Award  
County Request to Utilize Township’s Diesel Fuel Pump  
Request to Adopt a Resolution for Good Samaritan Call - Next Month  
Conserve Water Request – New Jersey D.E.P.  
Rules and Regulations Amendment for Horseshoe Bend Park  
New Emergency Center

### **Old Business**

Resolution from Clinton Twp re: Requesting Amendments to OPRA  
IRS Letter of Ruling

### **Appointments**

County Solid Waste Advisory Committee  
Recycling Committee (SWAC Member)  
Citizen Advisory Panel to Parks & Recreation Committee

Clean Communities Grant

### **Minutes**

March 1, 2012 Regular Meeting  
April 2, 2012 Regular Meeting

### **Adjournment**

**PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES**

2012 -

May 3, 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, Auditor William Colantano, 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 January 12, 2012 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 9, 2012. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 9, 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.**

#### **Letter from Property Owner re: Donation of Land**

Mayor Niemann asked for indulgence from the Committee Members and Auditor Colantano, stating a guest who was present at the meeting, had traveled a long way and that she would like to hear her first. Mrs. Delane Lipka came forward to speak to the Committee Members about a letter she had sent the township regarding a piece of property she owns and expressed that she would like to donate this to the township for open space. Mrs. Lipka explained that she and her husband have been in Hunterdon County since 1950, and her husband and his partner have passed away. She feels that nothing can be done with this property right now, so they would like to donate the land to the township. She would like the township to accept the donation, but needs to know what the procedure would be that she would need to go through. She noted that the piece of property is located at 461 Barbertown Point Breeze Road and is 33 acres. Attorney Kopen suggested that Mrs. Lipka hire an environmental specialist to confirm to the township any information regarding the site. The Committee Members stated that they will accept the property, but not before any environmental concerns are addressed first. Attorney Kopen also explained that if the township should accept this property an ordinance will need to be adopted. Mrs. Lipka stated that she would be very happy to work with the Township Committee. The Township Committee thanked Mrs. Lipka for her very generous donation to the township.

2012 -

**2012 MUNICIPAL BUDGET:**

Mayor Niemann presented a brief power point presentation of the 2012 Municipal Budget, with some comments from Auditor Colantano, and Deputy Mayor Lubitz.

**Public Hearing:**

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to open the public hearing for the 2012 Municipal Budget.

<b>Roll Call Vote:</b>	<b>Aye</b>	-	<b>Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	-	<b>None</b>
	<b>Abstain</b>	-	<b>None</b>
	<b>Absent</b>	-	<b>None</b>

Comments:

Robert Mauer, Byram Lane - Had a few questions regarding the financial status of the solar panels that are located at the Department of Public Works. He asked if there were any financial stats on the payback in regards to grants in and grants out. William Colantano responded by explaining that the township was very pro-active by obtaining grants and receives payback for the panels. Mayor Niemann reviewed the township's figures, what the township paid out for the installation, and the monthly funds they receive for the panels. Mr. Mauer feels that between what the township paid out for the installation, that the township does not receive all that much and that it was not that much of a savings. Mayor Niemann stated that it may take a period of time, but that the township has already received \$25,000 in energy credits.

Frank Floyd, Kingwood Township Volunteer Fire Department – Asked about the difference between general appropriations and capital appropriations. Auditor, William Colantano responded. Mr. Floyd also asked if the township has received a rate of what the solar properties will be assessed for from the County Board of Taxation, and if they are included in budget. Mayor Niemann responded and stated yes, that the township has received a rate which was the amount of megawatts that are generated by each of these facilities. She noted that the township's tax assessor contacted the State assessor to explain that he will calculate the amount of output of megawatts, and then calculate this back into the value of the property. Mr. Floyd asked about money shown as raised in prior year budgets for the rescue squad. He expressed some disappointment with the line item under capital appropriations for the ambulance, which led to some discussion for clarification. Frank Floyd also mentioned the various needs for the fire company.

Antimo Russano, Milltown Road – Feels that the Kingwood Fire Company has not done anything over the years to try to raise money for themselves. He feels that they could sponsor breakfasts, run bingo, and other fund raising events.

2012 –

Deputy Mayor Lubitz noted that it is very difficult for the fire department to have events due to the hours they are out in the evenings on calls.

The Committee Members thanked everyone for their comments.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to close the public hearing for the 2012 Municipal Budget.

<b>Roll Call Vote:</b>	<b>Aye</b>	-	<b>Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	-	<b>None</b>
	<b>Abstain</b>	-	<b>None</b>
	<b>Absent</b>	-	<b>None</b>

Resolution No. 2012-43 - Amend Budget

RESOLUTION

The following Resolution was introduced:

**RESOLUTION NO. 2012 – 43**

**TOWNSHIP OF KINGWOOD  
2012 MUNICIPAL BUDGET AMENDMENT**

**WHEREAS**, the local municipal budget for the year 2012 was approved on the 2<sup>nd</sup> day of April, 2012; and

**WHEREAS**, the public hearing on said budget has been held as advertised, and

**THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Kingwood, County of Hunterdon that the following amendments to the approved budget of 2012 be made:

CURRENT FUND

GENERAL REVENUES-CURRENT FUND	<u>From</u>	<u>To</u>
Miscellaneous Revenues-Section C		
Uniform Construction Code Fees	\$ 117,000.00	\$ 127,000.00
Total Miscellaneous Revenues	<u>603,509.07</u>	<u>613,509.07</u>
Subtotal General Revenues	<u>1,666,054.57</u>	<u>1,676,054.57</u>
Total General Revenues	<u>\$2,851,008.57</u>	<u>\$2,861,008.57</u>

2012 –

APPROPRIATIONS-CURRENT FUND

Deferred Charges and Statutory Expenditures-Municipal

Within "CAPS" Judgements	\$ <u>          -</u>	\$ <u>10,000.00</u>
Total General Appropriations for Municipal Purposes		
Within "CAPS"	<u>1,822,655.00</u>	<u>1,832,655.00</u>
Subtotal General Appropriations	<u>2,284,708.57</u>	<u>2,294,708.57</u>
Total General Appropriations	<u>\$2,851,008.57</u>	<u>\$2,861,008.57</u>

**BE IT FURTHER RESOLVED**, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

Auditor William Colantano gave a brief explanation of the amendment. He explained that there were two different types of budget amendments. He stated that there is no change in the tax rate.

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

<b>Roll Call Vote:</b>	<b>Aye</b>	-	<b>Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	-	<b>None</b>
	<b>Abstain</b>	-	<b>None</b>
	<b>Absent</b>	-	<b>None</b>

**Resolution No. 2012- 44 – Final Adoption**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2012 – 44**

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

- (a). \$ 1,184,954.00 (Items 2 below) for municipal purposes and
- (b). \$ \_\_\_\_\_ - \_\_\_\_\_ (Items 3 below) for school purposes in Type I School Districts Only (NJS 18A:9-2) to be raised by taxation and,

**2012 –**

(Item 4 below) to be added to the certificate of amount to be raised  
By taxation for local school purposes in Type II School Districts  
only (NJS 18A-9-3) and certification to the County Board of

- (c). \$ \_\_\_\_\_ - \_\_\_\_\_ Taxation of the following summary of general revenues and appropriations.
- (d). \$ 181,900.00 (sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

**SUMMARY OF REVENUES**

<b>(1). General Revenues</b>		
Surplus Anticipated	<b>08-100</b>	<b>\$641,000.00</b>
Miscellaneous Revenues Anticipated	<b>13-099</b>	<b>613,509.07</b>
Receipts from Delinquent Taxes	<b>15-499</b>	<b>421,545.50</b>
<b>(2). Amount To Be Raised by Taxation for Municipal Purposes (item 6 (a), Sheet 11)</b>		
	<b>07-190</b>	<b>1,184,954.00</b>
<b>(3). Amount to Be Raised by Taxation for Schools in Type I School Districts Only:</b>		
Item 6, Sheet 41	<b>07-195</b>	
Item 6 (b), Sheet 11 (NJS 40A:4-14)	<b>07-191</b>	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		
<b>(4). To Be Added to the Certificate for Amount to be Raised by Taxation for Schools in Type II School Districts Only:</b>		
Item 6 (b). Sheet 11 (NJS 40A:4:14)	<b>70-191</b>	
<b>TOTAL REVENUES</b>	<b>13-299</b>	<b>\$2,861,008.57</b>

**SUMMARY OF APPROPRIATIONS**

**5. GENERAL APPROPRIATIONS:**

<b>Within: "CAPS"</b>		
(a&b) Operations Including Contingent	<b>34-201</b>	<b>1,667,664.00</b>
(e) Deferred Charges and Statutory Expenditures- Municipal	<b>34-209</b>	<b>154,791.00</b>
(g) Cash Deficit	<b>46-885</b>	
<b>Excluded from "CAPS"</b>		
(a). Operations – Total Operations Excluded from	<b>34-305</b>	<b>38,528.57</b>

2012 –

	<b>“CAPS”</b>		
(c).	<b>Capital Improvements</b>	<b>44-999</b>	<b>163,600.00</b>
(d).	<b>Municipal Debt Service</b>	<b>45-999</b>	<b>194,925.00</b>
(e).	<b>Deferred Charges – Municipal</b>	<b>46-999</b>	<b>65,000.00</b>
(f).	<b>Judgments</b>	<b>37-480</b>	
(n).	<b>Transferred to Board of Education for Use Of Local Schools (NJS 40:48-17.1&amp;17.3)</b>	<b>29-405</b>	
(g)	<b>Cash Deficit</b>	<b>46-885</b>	
(k)	<b>For Local District School Purposes</b>	<b>29-410</b>	
(m)	<b>Reserve for Uncollected Taxes</b>	<b>50-899</b>	<b>566,300.00</b>
<b>6. SCHOOL APPROPRIATIONS – TYPE 1 SCHOOL DISTRICTS ONLY (NJS: 40A:4-13)</b>		<b>07-195</b>	
	<b>Total Appropriations:</b>	<b>34-499</b>	<b>2,851,008.57</b>

**It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing body on the 3<sup>rd</sup> day of May, 2012. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2012 approved budget and all amendments thereto, if any, which have been previously approved by 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:**

<b>Aye</b>	<b>- Haywood, Niemann</b>
<b>Nay</b>	<b>- Lubitz</b>
<b>Abstain</b>	<b>- None</b>
<b>Absent</b>	<b>- None</b>

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2012 - 49**

**SELF-EXAMINATION OF BUDGET RESOLUTION**

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

**2012 –**

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

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Kingwood has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2012 budget year.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood that in accordance with N.J.A.C. 5:307.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

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

2012 –

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

**ROLL CALL VOTE:**

<b>Aye</b>	-	<b>Haywood, Lubitz, Niemann</b>
<b>Nay</b>	-	<b>None</b>
<b>Abstain</b>	-	<b>None</b>
<b>Absent</b>	-	<b>None</b>

### **CORRESPONDENCE**

Copy of Resolution from Raritan Twp. re: Supporting Proposal to Create Veterans Haven North Facility

Mayor Niemann reviewed.

Copy of Resolution from Readington Twp. re: Public Hearings for the Flood Hazard Area Permit Application for the Transcontinental Gas Pipeline Company's Project

Mayor Niemann reviewed.

Copy of Resolution from Readington Twp re: Restoration of Municipal Energy Tax Receipts (also recv'd from West Amwell Twp.) – **Resolution No. 2012 - 50**

### **RESOLUTION**

The following Resolution was introduced:

#### **RESOLUTION 2012 – 50**

#### **RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO RESTORE MUNICIPAL ENERGY TAX RECEIPTS**

**WHEREAS**, the Energy Tax Receipts Property Tax Relief program is the direct descendant of the Public Utility Gross Receipts and Franchise Tax (PU-GRAFT), which was a tax on regulated public utilities originally assessed and collected at the municipal level; and

**WHEREAS**, in the early 1980's, when at the request and for the convenience of the taxpaying utilities, the State became the collection agent for this assessment, the law that effected this change promised that the proceeds would be distributed back to the municipalities which provide services to utility facilities and are the source of the utility profits; and

**WHEREAS**, the State of New Jersey never honored that commitment, immediately diverting large and growing portions of the proceeds to its own general fund; and

**WHEREAS**, modernization and deregulation led to a major State “reform” of utility taxes in the mid-1990’s, which legislation validated and, supposedly capped the State’s annual skim, and which included a “poison pill,” requiring the State to annually increase the municipal distribution of Energy Tax proceeds or to risk the forfeiture of the State’s authority to collect the tax; and

**WHEREAS**, in the late 1990’s, a State law was passed requiring the Energy Tax distributions to be annually increased by the rate of inflation; and

**WHEREAS**, as State budget-makers viewed this situation, the problem was not how to comply with this requirement, but rather how State officials might evade compliance; and

**WHEREAS**, in order for the State to increase Energy Tax distributions by the rate of inflation for five straight years without providing municipalities with one new dollar in property tax relief, State officials reduced the CMPTRA distribution by the same amount that is increased the Energy Tax distribution; and

**WHEREAS**, the Township Committee of the Township of Kingwood have long supported and called for State actions to reduce oppressive property tax burdens on our residents, since as noted, State officials in fact are the biggest drivers of increasing municipal property taxes.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, as follows:

1. The Governor, State Legislative leadership and all members of the State Senate and Assembly should immediately restore in full all Energy Tax Receipts funding, thereby respecting and affirming the historic and fiduciary obligation as collector of municipal revenues.
2. The Municipal Clerk is hereby authorized and directed to provide a certified copy of this Resolution to the following: Governor Chris Christie, New Jersey Senate President Stephen Sweeney, New Jersey Senate Minority Leader Thomas Kean, Jr., New Jersey Assembly Speaker Sheila Oliver, New Jersey Assembly Minority Leader John Bramnick, New Jersey State Legislators of the 23<sup>rd</sup> District, and the New Jersey League of Municipalities.

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

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	<b>- Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

2012 –

Copy of Resolution from Union Twp. re: Objecting to Use of 2001 State Plan Policy Map – Resolution No. 2012 - 51

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2012 – 51**

**OBJECTING TO USE OF THE 2001 STATE PLAN POLICY MAP**

**WHEREAS**, the New Jersey State Planning Commission ( the “Commission”) is required to periodically prepare and adopt a State Development and Redevelopment Plan ( the “State Plan”) under the State Planning Act (N.J.S.A.52:18A-196 et seq.); and

**WHEREAS**, the last version of the State Plan was adopted by the Commission in 2001; and

**WHEREAS**, the 2001 State Plan included a State Plan Policy Map which served as the underlying land use planning and management framework and directs funding, infrastructure improvements, and investment in land preservation programs throughout New Jersey; and

**WHEREAS**, on November 14, 2011 the Commission approved by Resolution No. 2011-08 a Draft Final Plan known as “The State Strategic Plan” as an amendment to the 2001 State Plan; and

**WHEREAS**, the primary purpose of the State Plan is to “coordinate planning activities and establish Statewide planning objectives” that reflect to the greatest degree the input and consensus reached at all levels of government; and

**WHEREAS**, in adopting an amendment to the State Plan the Commission is required to conduct a cross-acceptance process, as codified at N.J.S.A. 52:18A-202 and N.J.A.C. 5:85-2 through N.J.A.C. 5:85-4, for the purpose of soliciting and giving due consideration to the plans, comments and advice of relevant planning entities including municipal and county government agencies; and

**WHEREAS**, the Township of Kingwood in the County of Hunterdon, New Jersey actively participated in cross acceptance between 2004 through 2008 at considerable municipal expense and effort; and

**WHEREAS**, the 2001 State Plan Policy Map included substantial errors that were indentified during cross acceptance, and changes to the 2001 Map were agreed to during cross acceptance which are more accurately reflected in the 2009 Draft Final State Plan Policy Map prepared by the NJ Office of Smart Growth; and

**WHEREAS**, by Resolution No. 2011-08 the Commission rejected changes previously agreed to during cross-acceptance to the 2001 State Plan Policy Map, choosing instead to institute a criteria-based information system for “Priority Growth Investment Areas” and “Priority Preservation Investment Areas”; and

**WHEREAS**, by Resolution No. 2011-08 the Commission has decided to revert to the 2001 State Plan Policy Map without making the changes agreed to during cross acceptance on an interim basis until such time as the State Planning Rules are amended; and

**WHEREAS**, until such time as the State Planning Rules are amended the 2001 State Plan Policy Map will be used for the purpose of evaluating qualifications for State aid and incentives;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, in the County of Hunterdon, New Jersey that this governing body commends the current administration’s efforts to simplify and streamline the State Plan, but objects to the reversion to the 2001 State Plan Policy Map on an interim basis unless the map reflects or incorporates by reference any and all changes previously agreed to through municipal and county cross acceptance; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby directed to submit these comments as formal comments to the State Plan to the attention of New Jersey Department of State, Office for Planning Advocacy, 225 West State Street, P.O. Box 820, Trenton, New Jersey 08625-0820; and

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be forwarded to the Honorable Lt. Governor Kim Guadagno, to the Hunterdon County Planning Board, to the Hunterdon County Board of Chosen Freeholders, to the New Jersey State League of Municipalities, and to State Senator Michael Doherty, Assemblyman John Dimaio and Assemblyman Erik Peterson; and

**BE IT FINALLY RESOLVED**, that this Resolution shall take effect immediately;

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

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	<b>- Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

Copy of Resolution from Califon Boro re: Study of School District Consolidation Alternatives in County

Mayor Niemann reviewed.

Letter & Info from Central Bucks Bicycle Club re: Annual Covered Bridges Ride

Mayor Niemann stated that this is just for the township's information.

**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 **\$1,698,486.39** that are in order and attached as Bill List for May 2012.

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Haywood, Lubitz, Niemann</b>
	<b>NAY</b>	<b>- None</b>
	<b>ABSTAIN</b>	<b>- None</b>
	<b>ABSENT</b>	<b>- None</b>

**PUBLIC COMMENT – PRIVILEGE OF THE FLOOR**

Clayton Temple, Kingwood Township Rescue Squad – Stated that he is a member of the Kingwood Rescue Squad and has been for several years. He wanted to report on a discussion that took place at the County Freeholder's meeting the other evening. He stated that they brought upon a solution to get care to patients faster and they basically stated that if a critical call goes out, such as, a life threatening situation, than the organization that receives the call has 5 minutes to get an ambulance out to the scene or it will go to mutual aid. He stated that there was a member of the Kingwood Rescue Squad at the Freeholder's meeting who opposed their idea. He explained that the woman feels that Kingwood gets the ambulances out in adequate time for a call. Mr. Temple stated that he is a member of other similar organizations, and feels a statement like this will give Kingwood a bad name. He thanked the Committee Members for listening to his concerns, and just wanted them to know what is going on in the Township. Deputy Mayor Lubitz noted that the member of the rescue squad will be making her remarks available to the Township Committee as she could not be here this evening.

Antimo Russano, Mill Town Road - Explained the project of the bocce pavilion that the Italian American Club has been working on at the Kingwood Park for several months. He stated that there were many donations from several people including the Bocce Club. He noted that it has taken nine months to complete and that the area only needs shrubs to be totally completed. He explained that on May 20<sup>th</sup>, at 1:00p.m., there will be a dedication of the bocce pavilion sponsored by the Bocce Club and the Italian American Club. He stated that this will be dedicated to Anthony DeSapio, who was a resident, Committeeman and Mayor for many years in Kingwood Township. He came to the Township Committee this evening to get permission to serve wine for a toast at the event. He stated that they will provide insurance for whatever amount is needed.

2012 –

The Township Committee gave approval to serve wine at the dedication by resolution. Mr. Russano thanked the Township Committee.

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2012 – 52**

**WAIVER TO SERVE ALCOHOLIC BEVERAGES  
AT KINGWOOD PARK**

**WHEREAS**, the Italian American Club of Hunterdon County, and the local Bocce Club have reserved the use of the new pavilion and parking area at Kingwood Park to utilize for the special “Dedication of the Pavilion to Anthony DeSapio” on May 20, 2012; and

**WHEREAS**, the Italian American Club of Hunterdon County and the local Bocce Club have requested permission to serve alcoholic beverages during the Dedication on May 20, 2012;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that a waiver is granted to the Italian American Club of Hunterdon County to provide alcoholic beverages during the “Dedication of the Pavilion” to Anthony DeSapio on May 20, 2012 at the Kingwood Park bocce pavilion, property located at 200 Union Road, known as Block 19 Lot 8 in Kingwood Township, New Jersey, based on the following conditions and requirements being met by the applicant:

1. The applicants shall arrange the alcoholic beverages area so that the area is separate and distinct in appearance;
2. The applicants shall prevent minors from entering the alcoholic beverages area, from serving the alcoholic beverages and from consuming the alcoholic beverages;
3. The applicants shall provide proof to the Township of Kingwood that they hold the following insurance:

General Liability: \$1,000,000 per occurrence/\$2,000,000 aggregate

Host Liquor Liability: \$1,000,000 per occurrence/\$2,000,000 aggregate

In addition, the applicants shall name the Township of Kingwood as an additional insured, and the Certificate of Insurance shall be submitted to the Township at least 30 days prior to the event. The Certificate of Insurance must specifically note that coverage is provided for Liquor Liability.

4. The applicants, by accepting this waiver, acknowledge and hold harmless the Township of Kingwood and its municipal officials and employees from any and all claims, damages and cost of suit which may arise out of the waiver granted hereunder.

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

**ROLL CALL VOTE:**

<b>Aye</b>	- <b>Haywood, Lubitz, Niemann</b>
<b>Nay</b>	- <b>None</b>
<b>Abstain</b>	- <b>None</b>
<b>Absent</b>	- <b>None</b>

Frank Floyd, Kingwood Township Fire Department – Invited the Township Committee to come to one of their meetings to listen to the Fire Company, and to find out how they can help the township more to get ready for next year. He noted, in regard to Mr. Russano’s remarks, which were mentioned earlier in the meeting, that he feels the Kingwood Fire Department does a lot for Kingwood Township. He feels that to host a weekly or monthly breakfast, that it costs them a lot of money and they do not profit from them.

## **REPORTS**

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

Tax Collector’s Report of March 2012  
Municipal Court Reports of February 2012 and March 2012  
Construction Report of April 2012

### Township Engineer’s Monthly Report

Deputy Mayor Phil Lubitz reported 70% of Spring Hill Road Section II is completed. He stated that he has not been able to get in touch with anyone from the telephone company to transfer the phone lines to a new pole on Spring Hill Road. He explained that this needs to be done first in order for the DPW to complete the road project. He noted that he had spoken with Engineer Decker, who is planning on contacting someone to complete that part of the project. Mayor Niemann offered to call the telephone company to repair the wires if Engineer, Decker does not resolve the problem. Deputy Mayor Lubitz stated that Engineer Decker has been in contact with the County regarding a sign for Horseshoe Bend Road, and the concern of damaging the bridge. He stated that the County feels that there are no limitations to weight restriction at this time and that the bridges are capable to hold heavy loads. He noted that there is an issue of the ability for trailers to negotiate the bridge, because of the road geometry as people approach the bridge. It stated in the Engineer’s report, that realignment of the approaches are not feasible given the topography and Right to Way limits. Deputy Mayor Lubitz stated that they were considering a sign that would warn people of the narrow approach that would inhibit a trailer of a certain length and direct them around to Spring Hill Road.

2012 –

He suggested speaking to Frenchtown Boro to get permission first, since that area is in Frenchtown Boro, before dealing with the State.

Deputy Mayor Lubitz mentioned how the township will be going out for bids for the road portion of the Habitat for Humanity development. He stated that the township's DPW feels that they do not have the capability to do the work. He feels that this may be a cost savings for the township by going out for bids. He would like the Board of Adjustment to give it a tentative okay to go ahead with the building process for the affordable housing project, so they can get started with the road project.

Mayor Niemann explained another item that was listed on the Engineer's report. She stated that the Delaware & Raritan Canal Commission is looking to charge the township between six and eight thousand dollars in fees to review the township's application, because the property where development will begin with Habitat for Humanity falls within their area of purview. She stated that she has attempted to call someone from the New Jersey Conservation Foundation to speak to someone on the D&RC Board, to see if the fees could be waived. She noted that if they do not waive the fees, it would have to be paid out of our COAH fund. Attorney Kopen stated that she spoke to Engineer Decker today regarding this issue. She noted that the township has to decide whether to continue with the application to the D&R Canal Commission and that there would be fees along with the application. The attorney suggested that the township send the application along with a letter to the D & R Canal Commission requesting that the fees be waived for various fees. Attorney Kopen was instructed to proceed with the application.

Dog Licensing Report  
Animal Control Report

#### SREC Report

C.F.O. Diane Laudebach explained that the township has been generating more than they are giving as an estimate. She noted that on a monthly basis, excess revenue goes to surplus.

#### Emergency Management Coordinator Update – Jack MacConnell

Jack MacConnell reported that at this time the township will be receiving  $\frac{3}{4}$  of \$82,378.00 from FEMA for the 2011 fall storm damage. He stated that he has volunteered 600 hours as of April 1<sup>st</sup>, 2012, which would come to \$18.50 cents an hour. He also expressed that he has a lengthy amount of mileage he has already put on his vehicle, and that FEMA would reimburse for mileage used. He stated that he received a quotation for a siren to be put up in the Byam area along the river, which is \$12,000.00. He would like to have a radio frequency to be utilized by the township, DPW, fire department, rescue squad, and emergency management to make a common frequency. He explained that a joint task force is still working in Neptune NJ, as a result of hurricane Irene. He explained that once they are finished there, they will be back in Kingwood Township. He reported on a portion of Creek Road that is in the township. He stated that he met with the township's engineer and it was determined that it will cost the township, \$65,000 - \$70,000 to repair the road.

2012 –

He explained plans of what needs to be done by a geologist, which will come to approximately \$100,000 to \$110,000. He said that he can submit this to FEMA to see if they will pay for the repairs in the road due to storm damage. Mr. MacConnell stated that there are options if we do not want to spend the funds, or if we do not get reimbursed. The township could close the road, because there are no residences located on that portion of the road in Kingwood, which is only approximately 990 feet of the road, and the other option is to put up a guide rail and make it one lane, keeping everyone away from the edge. There was a brief discussion on a few short term things that the township can do on the road to keep people away from the edge. Mr. MacConnell explained the several ways, which would be by putting up signs, a guide rail, delineators, and a one lane road sign. He noted that Deputy Mayor Lubitz will be serving as the Emergency Management Coordinator, while he and Deputy Emergency Management Coordinator, Mary MacConnell are away on vacation. He made several comments regarding the Horseshoe Bend Park, and how it is a very different park than the Kingwood Park, with different needs. He suggested that an ordinance be passed to amend some of the current park rules and regulations. He stated that the township needs to create a different entity to be in charge of this park, in place of the park and recreation. There was a brief discussion on the signs that the DPW needs for the use on a temporary basis during the floods. Deputy Mayor Lubitz stated that this should come out of the DPW's budget, and then the township can submit the cost of the signs to FEMA to see if the township would be eligible. He explained that there is a large generator located at the Horseshoe Bend Park that the DPW can then utilize at the garage for emergencies. He again noted the importance of putting funds towards a siren and radio system for emergencies.

### **FUTURE MEETINGS AND ACTIVITIES**

Mayor Niemann reviewed as per the Agenda.

### **ORDINANCES**

#### **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**

-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 2<sup>nd</sup> day of April 2012. The Ordinance was published in the Hunterdon County Democrat on April 26, 2012 and has been posted in the Kingwood Township Municipal Building on April 3<sup>rd</sup>, 2012. The public hearing and final passage was advertised to be held at a meeting on the 3<sup>rd</sup> day of May, 2012. Copies of the Ordinance have been available for inspection by the public since April 3<sup>rd</sup>, 2012.

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: Attorney Kopen reported on comments received from Lt. Juris of New Jersey State Police. She explained what his concerns were, and that they may have already been expressed in another section of the ordinance, which he may have missed. She feels that the Township Committee should adopt the ordinance, and then if there are any changes or a problem, it can always be amended.

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 – 08 - 2012**

**AN ORDINANCE AUTHORIZING THE SOLICITATION OF  
CHARITABLE CONTRIBUTIONS ON ROADWAYS OR HIGHWAYS  
WITHIN THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON AND  
STATE OF NEW JERSEY AND ESTABLISHING  
PROCEDURES FOR THE SAME**

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

**SECTION 1. PURPOSE**

The purpose of this Ordinance is to authorize the Kingwood Township First Aid and Rescue Squad, Inc. and the Kingwood Township Volunteer Fire Company, Inc. to solicit contributions on roadways or highways within the municipality and to establish procedures for the same.

**SECTION 2.**

Each duly authorized and incorporated volunteer organization for the Township of Kingwood, cited in Section 1. may solicit contributions on roadways or highways within the municipality twice a year.

**SECTION 3.**

Each of the duly authorized volunteer organizations for the Township of Kingwood, cited in Section 1., seeking to engage in such conduct must make application to the Municipal Clerk for a permit to conduct the highway or roadway solicitations.

**SECTION 4.**

**2012 –**

The permit shall be issued upon approval of the Township Committee of the Township of Kingwood and shall be subject to conditions in conformance with New Jersey Law, which listing of conditions shall be provided to, and signed for, by the applicant as part of the permit process.

**SECTION 5.**

No person other than a volunteer member of the duly authorized and incorporated organizations for the Township of Kingwood, cited in Section 1., may engage in the conduct of charitable solicitations pursuant to this Ordinance.

**SECTION 6.**

No person engaged in the charitable solicitation pursuant to this Ordinance shall stand on a highway or roadway so designated and marked to stop, impede, hinder or delay the progress of a vehicle for the purpose of soliciting the purchase of goods, merchandise or tickets.

**SECTION 7.**

The Township Committee of the Township of Kingwood has consulted with the NJ State Police , a representative of whom will sign each permit, and who will be responsible for supervising the solicitation and enforcement of the terms of the charitable solicitation permit.

**SECTION 8.**

The Township Committee of the Township of Kingwood shall not authorize charitable, duly authorized volunteer organizations for the Township of Kingwood, cited in Section 1., to solicit charitable contributions on any county highway or intersection of a county highway without approval of the Board of Chosen Freeholders of Hunterdon County.

**SECTION 9.**

The Township Committee of the Township of Kingwood shall not authorize charitable, duly authorized volunteer organizations for the Township of Kingwood, cited in Section 1, to solicit charitable contributions on any state highway or intersection of a state highway without approval of the State Commissioner of Transportation.

**SECTION 10. PERMIT**

A permit may be issued only upon the presentation of a certificate of insurance to the Municipal Clerk.

**SECTION 11.**

Any person who violates any provision of this Ordinance shall be subject to a fine not to exceed \$100.00.

**SECTION 12.**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 13.**

Pursuant to the provisions of N.J.S.A. 40:69A-181(b), this Ordinance shall take effect twenty (20) days after its final passage by the Township Committee of the Township of Kingwood where such approval is required by law.

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the foregoing Ordinance No. 17-08-2012.

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	- <b>Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	- <b>None</b>
	<b>Abstain</b>	- <b>None</b>
	<b>Absent</b>	- <b>None</b>

**RESOLUTIONS**

**Resolution No. 2012-45 - Tax Sale Redemption Bl 17 L 9.01**

The following Resolution was introduced:

**RESOLUTION NO. 2012 - 45**

**TAX SALE REDEMPTION**

**WHEREAS**, the Tax Collector has received redemption monies in the amount of \$24,983.90 to redeem Tax Sale Certificate No. 11-006 on Block 17, Lot 9.01; and

**WHEREAS**, the lienholder paid a premium in the amount of \$17,000.00 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 \$41,983.90 to US Bank-Cust/Sass Muni VI, TLSSG, 50 S. 16<sup>th</sup> Street, Philadelphia, PA, 19102 for the redemption of Tax Sale Certificate No. 11-006.

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**

**RESOLUTION**

**Resolution No. 2012-46 - Approve 2012 LOSAP Lists**

The following Resolution was introduced:

**APPROVAL OF LOSAP LISTS FOR Y2011**

**RESOLUTION NO. 2012 – 46**

**WHEREAS**, the Kingwood Township Volunteer Fire Company and Kingwood Township First Aid and Rescue Squad have provided to the Township Committee annual certification identifying all active volunteer members who have qualified for credit for the year; and

**WHEREAS**, after initial review by the Township Committee the lists have been posted in the respective buildings of each participating emergency service organization for a period of at least 30 days for review by members; and

**WHEREAS**, there has been no objection or complaint received from any member of those organizations or from the organizations themselves, or the lists have been corrected, and the lists have again been reviewed by the Township Committee;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the attached lists indicating qualified members for each agency for the respective year and amounts are approved.

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- 47 - Award 2012 M&R Materials**

2012 –

Mayor Niemann briefly reviewed the award of bids for road materials, which took place on Tuesday, May 1, 2012.

The following Resolution was introduced:

**RESOLUTION NO. 2012 - 47**

**RESOLUTION TO AWARD BID for ROAD MATERIALS**

**WHEREAS**, Kingwood Township advertised for and on Tuesday May 1, 2012 received and opened bids at the Kingwood Municipal Building for the Township’s 2012 Road Maintenance and Repair Program; and

**WHEREAS**, the bids were reviewed by the Township Engineer as is reflected in his report of May 3, 2012; and

**WHEREAS**, according to the report of the Township Engineer dated May 3, 2012 (Exhibit A, attached hereto and made a part hereof), the lowest responsible bidder together with each bid price for all maintenance and repair materials items applicable to Kingwood Township for which qualified bids were received, is as set forth in Exhibit A.

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

The contracts for road maintenance and repair materials as to items #1, 2, 5, 6, 8, 9, 10, 11, 12, 15, 18, 19, 20, 23, 24 and 27 on Exhibit A, the Township Engineer’s report of May 3, 2012, are awarded to the bidders set forth and for the amounts set forth on the attached Exhibit A.

Attorney Kopen briefly reviewed the Engineer’s report. She stated that there were no bids for drainage materials, because there was only one bidder that bid on those materials. She stated that unfortunately, that bidder failed to supply the required bid bond that made them a unresponsive bidder, and that the township could not accept that bid. There was a brief discussion, whether to rebid for those materials, or to join the Co-Op. She suggested that the Township join the Morris County Cooperative Pricing Council, as requested by DPW Supervisor Mark Petro.

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

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	<b>- Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2012 – 53**

**AGREEMENT TO JOIN MORRIS COUNTY**

**COOPERATIVE PRICING COUNCIL**

**BE IT RESOLVED BY THE** Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey: This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Kingwood;

Pursuant to the provisions of N.J.S.A. 40A:11-10 and 11, the Township of Kingwood is hereby authorized to enter into a Cooperative Pricing Agreement with the “Lead Agency” (Township of Randolph) for the purchase of work, materials, supplies and services expiring on September 30, 2012.

The Lead Agency (Township of Randolph) entering into contracts on behalf of the Township of Kingwood shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) and all other provisions of the revised statutes of the State of New Jersey.

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

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	<b>- Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

Mayor Niemann stated that the township will be honoring one of the township’s residents by resolution.

**RESOLUTION**

**Proclamation for Mildred Wehr**

**Resolution no. 2012 – 48**

**Whereas,** May is older Americans month which celebrates the contributions of citizens aged 60 and older; and

**Whereas**, the fruits of knowledge and experience that are transferred from generation to generation enrich an entire community; and

**Whereas**, Mildred Wehr has had an important role in sharing knowledge, wisdom, and understanding of the history of Kingwood Township with children, youth, and adults from other generations; and

**Whereas**, the fruits of her knowledge and reverence for our Kingwood ancestors are displayed on the many streets throughout the Township that bear the historical names she has chosen from our Kingwood predecessors; and

**Whereas**, Mildred Wehr broke new ground as the first female reporter on the Hunterdon Republican; and

**Whereas**, Mildred Wehr has served as an officer and member of the Baptistown Baptist Church, The Kingwood Township Historical Society, The Kingwood Township Rescue Squad and The Friends of the Locktown Stone Church; and

**Whereas**, Mildred Wehr is a community treasure whose spirit for life and commitment to Kingwood Township has set a standard to which we can all aspire.

**NOW, THEREFORE**, I, Elaine Niemann, Mayor of Kingwood Township, on behalf of the Township Committee, do hereby congratulate and recognize Mildred Wehr for her lifetime of achievement and service to Kingwood Township.

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

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	<b>- Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

### **NEW BUSINESS**

Request from Property Owner re: Bl 51 L 45 Waiver of COAH Fees

Mayor Niemann reviewed a letter received from Mr. Robert Maurer, a resident from Byram Colony in Kingwood Township. She explained that he is raising his home, and asked if he would be able to have his COAH fees waived.

2012 –

She noted that she had received correspondence from the State DCA, and also confirmed this situation with the township's construction official, that there is a provision which allows this to be waived. She read aloud the list of circumstances that are considered to grant a waiver of the fees. She explained that the State DCA also approved a waiver of the fees.

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to grant approval to waive the COAH fees in the circumstance with Mr. Maurer.

**ROLL CALL VOTE:**

<b>Aye</b>	-	<b>Haywood, Lubitz, Niemann</b>
<b>Nay</b>	-	<b>None</b>
<b>Abstain</b>	-	<b>None</b>
<b>Absent</b>	-	<b>None</b>

Application for Raffle License – Saint Anna Greek Orthodox Church

Mayor Niemann reviewed an application for a raffle license from the Saint Anne Greek Orthodox Church, 104 Allerton Road, Annandale, NJ 08801 for a 50/50 Raffle to be held on July 1, 2012 from 12:00pm to 6:00pm.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve Raffle License No. 2012-03 for Saint Anna Greek Orthodox Church to conduct a 50/50 Raffle on Sunday, July 1, 2012 from 12:00pm to 6:00pm.

**ROLL CALL VOTE:**

<b>Aye</b>	-	<b>Haywood, Lubitz, Niemann</b>
<b>Nay</b>	-	<b>None</b>
<b>Abstain</b>	-	<b>None</b>
<b>Absent</b>	-	<b>None</b>

Application for Raffle License – Flemington Woman's Club

Mayor Niemann reviewed an application for a raffle license from the Flemington Woman's Club, 43 Park Avenue, Flemington, NJ 08822 for a Prize Raffle to be held on October 26, 2012 from 2:00pm to 4:00pm.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve Raffle License No. 2012-04 for the Flemington Woman's Club, to conduct a Prize Raffle on October 26, 2012 from 2:00pm to 4:00pm.

**ROLL CALL VOTE:**

<b>Aye</b>	-	<b>Haywood, Lubitz, Niemann</b>
<b>Nay</b>	-	<b>None</b>
<b>Abstain</b>	-	<b>None</b>
<b>Absent</b>	-	<b>None</b>

Request from KTS - Sponsor for a Social Studies Award

Mayor Niemann briefly reviewed a letter from Kingwood Township School, and a request that the township sponsor and present a social studies award and plaque. The Committee Members all agreed to this request. The Committee discussed who will be attending the awards ceremony to present the plaque and award from the township. Deputy Mayor Lubitz offered to attend and present the award and plaque at the June 11, Eight Grade Awards Ceremony at 7:00pm.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve that the township sponsor the KTS Social Studies award and plaque in the amount of \$50.00 towards an award and \$13.50 for a plaque for a total of \$66.00.

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	<b>- Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

County Request to Utilize Township’s Diesel Fuel Pump

Clerk MacConnell reviewed the request. She stated that this was a verbal request from the township’s DPW Supervisor, Mark Petro. She explained that the county would like the use of the township’s diesel fuel pump at the DPW garage to save gas from running back and forth to fill up their tanks. The DPW has no objections to this request from the county. She noted that Mark Petro explained that the township will be reimbursed by the county in some way or another for the gas.

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to approve that the county road department have use of the DPW’s diesel fuel pump at the Kingwood DPW garage and to be reimbursed.

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	<b>- Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

Resolution to be Adopted Next Month

Deputy Mayor Lubitz handed out a resolution to consider adopting next month. He explained that it is a resolution that several municipalities are adopting. He noted that it has to do with a “Good Samaritan” call, which provides someone to call for emergency assistance for another person in need.

2012 –

Conserve Water Request – New Jersey D.E.P.

Mayor Niemann reviewed a request from the New Jersey Department of Environmental Protection on water conserving during the drought. She would like this placed on the website for the residents to be aware.

Rules and Regulations Amendment for Horseshoe Bend Park

Mayor Niemann noted that Richard Dodds, who has been a very active person taking care of the Horseshoe Bend Park for Kingwood Township, went to the Parks and Recreation Committee meeting last evening to review a monthly report that he submits to the Parks and Recreation Committee. He reviewed the changes that need to be made in the “Rules and Regulations” of the ordinance for parks. Mayor Niemann reviewed a list of the amendments to be changed. Committeewoman Diana Haywood stated that there was a discussion at the Parks and Recreation meeting to also include amendments regarding firearms. She explained that the Parks and Recreation Committee have asked her to make a recommendation to the Township Committee to make these changes, so that the rules and regulations apply to all the parks in the township. Attorney Kopen will have the ordinance prepared and ready with amendments to be adopted on first reading next month.

New Emergency Center

Deputy Mayor stated that the idea was presented this evening, but he would like for the Township Committee to discuss and make a formal decision on an Emergency Center for the Township. It was suggested by the Committee to discuss this at next month’s meeting.

**OLD BUSINESS**

Resolution from Clinton Twp re: Requesting Amendments to OPRA – carried over from last meeting

Mayor Niemann stated that she feels it is a good idea for the future. There was a brief discussion on the pros and cons of the resolution. The Township Committee decided to not pursue this request at this time.

IRS Letter of Ruling

C.F.O. Diane Laudenbach reviewed the IRS letter of ruling, and the issuance of a W-2 form. She noted that she had contacted the State and that they do require a W-2 form to be submitted by all employees.

She stated that she will have to issue one for the State, as well as Federal Government. Mayor Niemann asked C.F.O. Diane Laudenschach to contact the Park Director's regarding this information. There were a few details discussed with the township's attorney.

**APPOINTMENTS**

County Solid Waste Advisory Committee

Mayor Niemann stated that she is currently serving as the township's Citizen Advisory Representative to the County Solid Waste Advisory Committee. She noted that the township is required to appoint an alternate representative for this position and then the Township recommends to the County who they have chosen for the alternate position. She explained that the county will then appoint that person to the committee. Mayor Niemann stated that the township would like to recommend Lynn Porter, the township's current Recycling Coordinator to serve as Alternate Member to the County Solid Waste Advisory Committee.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to recommend to the County the township's Recycling Coordinator Lynn Porter, serve as the Alternate to the Solid Waste Advisory Committee.

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	<b>- Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

Recycling Committee (SWAC Member)

Mayor Niemann stated that this is a position that the township is required to recommend to the County. She explained that the township would like to recommend Lynn Porter, the township's current Alternate Member to the Solid Waste Committee to serve as a member on the Recycling Committee for the County.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to recommend to the County the township's Alternate SWAC member, Lynn Porter to serve as a member on the County Recycling Committee.

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	<b>- Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	<b>- None</b>
	<b>Abstain</b>	<b>- None</b>
	<b>Absent</b>	<b>- None</b>

Citizen Advisory Panel to Parks & Recreation Committee

Mayor Niemann explained that a resident of the township named Michael DeSapio, contacted the township and would like the opportunity to join a committee. She explained that she met with Michael DeSapio to speak to him about the open positions, as they reviewed the different positions available. She stated that Mr. DeSapio felt that he may have a conflict being on some of the boards. Mayor Niemann stated that the Parks and Recreation Committee recommended that the township appoint Michael DeSapio to the Citizen Advisory Panel to Parks and Recreation Committee.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to appoint Michael DeSapio to be a member of the Citizen Advisory Panel to Parks and Recreation Committee.

**ROLL CALL VOTE:**

<b>Aye</b>	-	<b>Haywood, Lubitz, Niemann</b>
<b>Nay</b>	-	<b>None</b>
<b>Abstain</b>	-	<b>None</b>
<b>Absent</b>	-	<b>None</b>

Clean Communities Grant

Mayor Niemann announced that the township has received \$13,727.32 in Clean Communities Grant Funds. She explained that this is a very specialized account that the township is allowed to use towards litter cleanup. She explained that it will cover several uses to pay for programs in the township. She noted that if the funds are not used, they will revert back to the State.

**MINUTES**

March 1, 2012 Regular Meeting

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt the March 1, 2012 Regular Meeting Minutes of the Township Committee.

**ROLL CALL VOTE:**

<b>Aye</b>	-	<b>Haywood, Lubitz, Niemann</b>
<b>Nay</b>	-	<b>None</b>
<b>Abstain</b>	-	<b>None</b>
<b>Absent</b>	-	<b>None</b>

April 2, 2012 Regular Meeting

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt the March 1, 2012 Regular Meeting Minutes of the Township Committee with the following corrections.

Corrections: Deputy Mayor Lubitz stated that he could not open the minutes, due to the type of file as it is sent. He stated that he had a correction under “Public Comment Privilege of the Floor Section” – Sixth line from the bottom: Should state: He stated that is why they asked David Hewitt from the Parks and Recreation “**Commission**” (to be put in place of the word “Committee” ) to be on the subcommittee.

<b>ROLL CALL VOTE:</b>	<b>Aye</b>	- <b>Haywood, Lubitz, Niemann</b>
	<b>Nay</b>	- <b>None</b>
	<b>Abstain</b>	- <b>None</b>
	<b>Absent</b>	- <b>None</b>

C.F.O. Diane Laudenbach noted that she spoke to representatives from Glen Gardner, and that they have clothing bins at the fire company and they are receiving revenue. She stated that she will obtain additional information.

**ADJOURNMENT**

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adjourn the meeting at 9:40P.M. All voted **Aye** on **Roll Call Vote**.

**Respectfully submitted,**

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