

KINGWOOD TOWNSHIP COMMITTEE

OCTOBER 4, 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 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.

Correspondence

Proclamation from Governor re: Patriot Day & National Day of Service & Remembrance

Letter from Municipal Division of Superior Court re: Annual Visitation

Thank You Letter from Bike MS

Copy of Res from Readington Twp re: Opposing A323/S-2074

Bills and Claims

Public Comment – Privilege of the Floor

Reports

Emergency Management Report of October 2012

Tax Collector's Report of August 2012

Budget Report of Jan – September 2012

Revenue Report of August 2012

Municipal Court Report of August 2012

Construction Report of September 2012

Township Engineer's Monthly Report

Dog License Report

Animal Control Report

October 4, 2012 Township Committee Agenda Continued

Future Meetings & Activities

- October 6 & 7 -** Annual Township Wide Yard Sale, 8:30am-4:00pm
- October 11 -** Public Hearing by KT Planning Bd on Land Use Plan Element of Master Plan at Municipal Bldg beginning at 7:30PM
- October 13 -** Recycling at Township Garage from 9:00am – 12:00noon
- October 13 -** Clean Up Program at Township Garage from 9:00am – 12:00noon, permit required
- October 13 -** Hunterdon Cty Computer & Electronics Collection Day at Route 12 Complex from 9:00am – 12:00noon
- October 15 -** Public Hearing on NJDEP Proposed Amendment to Upper Delaware & Upper Raritan Water Quality Management Plans at Assembly Room in Building #1 of Hunterdon County Route 12 Complex beginning at 6:30pm
- October 16 -** Last day to Register to Vote in November General Election, Bd of Elections open until 9:00pm
- October 30 -** Last Day to apply By Mail for a Mail-In Ballot for November General Election

Ordinances

Ordinance No. 17-15-2012 To Amend And Supplement The Land Use Regulations, Specifically “Subdivision Of Land, Chapter 115”, And “Zoning, Chapter 132” Of The General Ordinances Of The Township Pertaining To Threatened And Endangered Species And Environmental Impact Assessment – Public Hearing and Final Adoption

Resolutions

Resolution No. 2012-93 - Refund of Taxes Bl 33 L 1.07

New Business

Review Electric Provider Auction Results & Select Carrier
Review Price Quotations for Survey of Bl 7 L 6 and Adopt Professional Services Agreement **Resolution No. 2012-94**
Ordinance Code Chapter 57 Animals – comments from Mayor
Authorize Advertisement for Temporary Snowplowing for DPW
Ehrlich Pest Control – Proposals for DPW Building
HART Commuter Information Services – Speed Sentry Sign
Request from Jersey Cares re: 17th Annual Coat Drive
Discuss Township Clean Up Days Program
Resolution No. 2012-96 Solicitation of Charitable Contributions Kingwood Township Fire Co. #1

October 4, 2012 Township Committee Agenda Continued

Request from Italian American Club in Flemington – Re: Picnic

Resolution No. 2012 – 97 Waiver to Serve Alcoholic Beverages at Kingwood Park

Board of Heath News

Old Business

Installation of Generator at DPW

Recognition for Employees

Minutes

August 2, 2012 Regular Meeting

September 6, 2012 Regular Meeting

Executive Session – Resolution No. 2012-95

Contract Negotiations – One Lowell Realty Assoc Inc Bl 17 L 14

Possible Litigation – Tax Appeal – DeSapio, Horseshoe Bend & Frenchtown
Run

Contract Negotiations – Cell Tower Lease

Return to Regular Session

Tax Appeal – DeSapio, Horseshoe Bend and Frenchtown Run

Adjournment

PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES

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October 4, 2012

A Regular Meeting of the Kingwood Township Committee was called to order at 7:04P.M. with Mayor Niemann presiding.

Also present at the meeting were Deputy Mayor Lubitz, Committeewoman Diana Haywood, Attorney Judith Kopen, C.F.O./Tax Collector 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

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In order to ensure full public participation in this meeting, all members of this Committee or Board, and also members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

CORRESPONDENCE

Proclamation from Governor re: Patriot Day & National Day of Service & Remembrance

Mayor Niemann read aloud the information. The Township Committee reviewed the proclamation.

Letter from Municipal Division of Superior Court re: Annual Visitation

Mayor Niemann read aloud the letter from the Municipal Division of Superior Court and information regarding their annual visit with Kingwood Township. She stated that everything went well.

Thank You Letter from Bike MS

Mayor Niemann reviewed the thank you letter from the Bike MS Event.

Copy of Resolution from Readington Twp. re: Opposing A323/S-2074

Mayor Niemann reviewed the resolution from Reading Township.

She explained that the township's Agriculture Advisory Committee discussed this at their last meeting, and they feel that the township should not oppose the legislation. Mayor Niemann noted that Liz Schmid the township's Open Space Coordinator pointed out that it is routine for preserved farms to be primarily regulated by the state and county level rather than the municipal level. Mayor Niemann stated that there really is no municipal control as it stands. She explained that the farmer's position in this matter is that they would like to have the flexibility to use their property as they see fit. She stated that there is a limitation in the proposed legislation, which is, a farmer and property owner cannot have more than half of their receipts attributable to this type of activity. The Committee Members stated that they all agree with the Ag Committee regarding this resolution.

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 **\$1,197,208.56** that are in order and attached as Bill List for October 2012.

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

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

N/A

REPORTS

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

Emergency Management Report

Emergency Management Coordinator, Jack MacConnell was present and explained that he has applied for and obtained a license for a radio system from the Federal Communications Commission. He explained that the township has one year to get the radio system in place. Mr. MacConnell reviewed the advantages to having this for emergencies. He reviewed a letter he received from the Governor's office regarding purchasing various items and supplies for municipalities. He also commented on e-mails from the New Jersey State Police regarding grant applications from FEMA. Mr. MacConnell also commented on a report he received from Lake Nockamixon in Pennsylvania, and how there is a possibility that they may help fund for the siren for the river area, since the Pennsylvania area along the river would also be effected if the dam collapses at the lake. He reported that so far, there have been no incidents to report regarding hunting at the Horseshoe Bend Park. Deputy Mayor Lubitz noted that the township is trying to set up one or two exercises with the Fire Company and the Rescue Squad at the Horseshoe Bend Park. He noted that Richard Dodds is trying to schedule a hike, which would be a drill for emergencies. Mayor Niemann noted that the township will be meeting and talking with the New Jersey State Police Commander for Kingwood Township from the local station to discuss the Horseshoe Bend Park. Jack MacConnell commented on all the different activities that went on at the Horseshoe Bend Park last weekend, and stated that everything went well with approximately 300 people at the park.

Jack MacConnell thanked the Township Committee for the nice lunch they arranged for the employees who were recognized for 25 and 40 years working for the township.

REPORTS CONTINUED

Tax Collector's Report of August 2012

Budget Report of Jan – September 2012

C.F.O. Diane Laudenbach briefly explained how to read the budget report.

Revenue Report of August 2012

Municipal Court Report of August 2012

Construction Report of September 2012

Township Engineer's Monthly Report

The Township Committee briefly reviewed the engineer's monthly report.

Dog License Report

Animal Control Report

FUTURE MEETINGS AND ACTIVITIES

Mayor Niemann reviewed as per the Agenda.

ORDINANCES

ORDINANCE NO.17-15-2012 TO AMEND AND SUPPLEMENT THE LAND USE REGULATIONS, SPECIFICALLY "SUBDIVISION OF LAND, CHAPTER 115", AND "ZONING, CHAPTER 132" OF THE GENERAL ORDINANCES OF THE TOWNSHIP PERTAINING TO THREATENED AND ENDANGERED SPECIES AND ENVIRONMENTAL IMPACT ASSESSMENT – Public Hearing and Final Adoption

Mayor Niemann read aloud the following ordinance by title:

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to table Ordinance No. 17-15-2012 To Amend and Supplement the Land Use Regulations, Specifically "Subdivision of Land, Chapter 115", and Zoning, Chapter 132" of the General Ordinances of the Township Pertaining to the Threatened and Endangered Species and Environmental Impact Assessment, until additional comments from the Planning Board have been made.

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

RESOLUTIONS

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Resolution No. 2012-93 - Refund of Taxes Bl 33 L 1.07

The following Resolution was introduced:

RESOLUTION NO. 2012 – 93

REFUND OF TAXES

WHEREAS, as a result of a duplicate payment received for Block 33, Lot 1.07, there now exists an overpayment on the third quarter of 2012 in the amount of \$2239.79; and

WHEREAS, the tax collector has received a request, with proof of payment, from CitiMortgage for a refund of the above amount.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to issue a refund in the amount of \$2239.79 to CitiMortgage, Inc., PO Box 23689, Rochester, NY, 14692.

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

NEW BUSINESS

Review Electric Provider Auction Results & Select Carrier

Mayor Niemann noted that the auction for the electricity provider was held today, and now the township needs to take action on the results. She reviewed a summary of the electronic auction that was held and stated that the only thing to significantly change the rate, would be if the township does something significant with the usage. She explained that then they might want to renegotiate, then look at the amount utilized and time of day it is used. She noted that the township will be going with the lowest bidder.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to choose APG&E Energy Solutions at a fixed rate of (0.08074 per kWh) for 24 months beginning on November 1, 2012.

ROLL CALL VOTE:

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

Review Price Quotations for Survey of Bl 7 L 6 and Adopt Professional

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Services Agreement Resolution No. 2012-94

Mayor Niemann reviewed the quotations for professional services for a land surveyor for Block 7, Lot 6.

The following are the quotations received:

Newton Land Surveyor - \$7,050.00
4 Walter E. Foran Boulevard
Suite 307
Flemington, NJ 08822

Bridgitt B. Lincoln - \$7,900.00
Liberty Court
Suite 800
260 Highway 202-31
Flemington, NJ 08822

Maser Consulting - \$8,750.00
Perryville III Corporate Park
53 Frontage Road, Suite 120
P.O. Box 4017
Clinton, NJ 08809

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 - 94

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR A TOWNSHIP LAND SURVEYOR**

WHEREAS, the Township of Kingwood has a need to acquire professional services of a Township Professional as set forth below in Paragraph No. 1, by way of a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Township Committee has determined to award the contract set forth in paragraph No. 1 below through a non-fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, the Township of Kingwood's Chief Financial Officer has determined and certified in writing that the value of the acquisition will not exceed \$36,000; and

WHEREAS, the anticipated term of contract is as set forth below in Paragraph No. 1; and

WHEREAS, the Township professional set forth below in Paragraph No. 1 has submitted a proposal indicating they will provide the professional services described below in Paragraph No. 1 for the amount set forth in their submitted proposal; and

WHEREAS, the Township Professional set forth in Paragraph 1 below has completed and submitted a Business Entity Disclosure Certification which certifies that the Township Professional has not made any reportable contributions to a political or candidate committee in the Township of Kingwood in the previous one year, and that the contract will prohibit the Township Professional from making any reportable contributions through the term of the contract; and

WHEREAS, a certification of availability of funds, specifying the line item appropriation(s) to be charged as to the contract set forth below in Paragraph No. 1 has been provided by the Chief Financial Officer of the Township of Kingwood.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, New Jersey as follows:

1. The Mayor and Clerk are hereby authorized to execute a contract with the following Professional as described below:

	Professional Position	Term of Contract
David M Newton, Newton Land Surveyor	Township Surveyor	One Year

2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

3. A copy of this resolution shall be published in the Hunterdon Democrat as required by law.

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

Ordinance Code Chapter 57 Animals – Comments from Mayor

Mayor Niemann reviewed a few ideas that the township’s Dog License Official, Traci Fleming suggested. She stated that Traci Fleming explained that when there are residents with multiple dogs, and they come in to pay their dog license fees the day after the deadline date, it costs them \$30 late fee per dog. Mayor Niemann stated that Trace Fleming would like the Township Committee to consider amending the dog license fees ordinance. She suggested that the amendment be to reduce the late fee to \$10.00 per dog from February 10th to the end of the month, and then \$20.00 per dog from March 1st, until March 15th, and \$30.00 from March 15th on. Mayor Niemann stated that it would be better for those who have several dogs.

She stated that Traci Fleming talked about how they want to make it less stressful for the residents, yet get the point across for those who forget to renew their dog licenses. There was a brief discussion on the salary for the Dog License Official, and whether or not the incoming fees for dog licenses collected, pay for her salary. Deputy Mayor Lubitz noted that the township could use the extra money to neuter the feral cats in the township. Mayor Niemann mentioned the West Hunterdon Animal shelter and stated that this is a good place to refer someone if they are having any feral cat problems. There was a discussion regarding an incident involving an aggressive dog that occurred in the township recently. There was a reference to part of the ordinance regarding penalties if you have a vicious dog. Mayor Niemann stated that this will also need to be reviewed when amending the ordinance with respect to late fees. The discussion continued regarding the resident who wanted to contact someone with the authority to clarify parts of the ordinance, because they are trying to find out what their options are to resolve the problem. Mayor Niemann noted that the residents that complained stated that they have been attacked by the dog and their animals have also been attacked. Attorney Kopen noted that they could come to the township's court administrator and sign a complaint without an attorney involved. Mayor Niemann noted that she will meet with Traci Fleming, the township's Dog License Official to review and consider some changes and suggestions to the ordinance for next month.

Authorize Advertisement for Temporary Snowplowing for DPW

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to authorize the township to advertise for a temporary snowplowing employee for the DPW.

ROLL CALL VOTE:	Aye	- Haywood, Lubitz, Niemann
	Nay	- None
	Abstain	- None
	Absent	- None

Ehrlich Pest Control – Proposals for DPW Building

Mayor Niemann read aloud three quotes from Ehrlich for treating the Department of Public Works building for mice.

- #1. Quote for Mice (2 part service) to service all areas of the building and to return seven days later to follow-up: \$255.00 – with a service warranty for 30 days.
- #2. Quote for Mice: (10) bait stations at a quote of \$214.00
- #3. Quote for Mice: (per maintenance service) to treat rodents, insects and to treat all areas of the garage and the recycling area for pests. In addition to service 10 bait stations around the exterior for rodent control. The quote states that it would be \$65.00 per visit after the initial fee of the above for the bait stations.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve to go with the initial service to treat the mice in the amount of \$225.00, and then to consider additional services if needed in the future.

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ROLL CALL VOTE:

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

The Township Committee asked the Clerk to list this on the agenda for next month. They would like to see how the treatment worked to get rid of the mice in the DPW, and if additional services will be needed.

HART Commuter Information Services – Speed Sentry Sign

Clerk MacConnell explained that this is an application from last year, which the township received. She explained that it is available for the township to borrow, and that the township just needs to apply for the use of the speed sentry sign. She stated that the township would keep the frame if using on a continuing basis. Mayor Niemann noted that she will contact the Road Department to install this on the roads that are needed. The Township Committee agreed to apply for the speed sentry sign to use on Spring Hill Road.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to apply for a speed sentry sign from Hart Commuter Information Services. **All** voted **Aye** on **Roll Call Vote**.

Request from Jersey Cares re: 17th Annual Coat Drive

Mayor Niemann explained that this would be a good idea to consider, as long as, no other coat drives are in the area. Deputy Clerk Keller was present and explained that the Delaware Valley Regional High School is currently having their annual clothing and coat drive from October 11th thru the 15th, and again the weekend after Easter. The Committee Members decided to not participate in the coat drive with Jersey Cares, and let the residents take their items to the Delaware Valley Regional High School to support the school's "Project Graduation".

Discuss Township Clean Up Days Program

Mayor Niemann noted that an e-mail from one of the Environmental Commission members came in requesting that the township consider extending the Clean-up Day Program throughout the year. She explained that she had read that the transfer station in Clinton would be closing in one of the local newspapers. The Committee Members stated they did not hear anything about the station closing. Mayor Niemann noted that she would like Recycling Coordinator, Lynn Porter to look into this to find out when they are closing up. The Township Committee suggested this be put on the agenda for next month's meeting, so that they may consider the clean-up program being extended.

Resolution No. 2012 – 96 Solicitation of Charitable Contributions Kingwood Township Volunteer Fire Co.#1

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 96

**SOLICITATION OF CHARITABLE CONTRIBUTIONS
KINGWOOD TOWNSHIP VOLUNTEER FIRE CO. #1**

WHEREAS, the Township Committee of the Township of Kingwood requires any and all solicitations and coin tosses held in the Township to have a permit; and

WHEREAS, a copy of the applicant’s request to conduct a solicitation and coin toss has been received, reviewed and found in order; and

WHEREAS, all the regulations of the Township Ordinance have been met;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that approval is granted and a permit be issued to the Kingwood Township Volunteer Fire Co. #1, PO Box 99, Baptistown, NJ 08803 to conduct a solicitation and coin toss on Saturday, October 13, 2012, and if necessary a rain date of Sunday, October 14, 2012, subject to the execution of the permit by the New Jersey State Police.

BE IT FURTHER RESOLVED that the Township Clerk is authorized to endorse and issue this permit for the Kingwood Township Volunteer Fire Co. #1.

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

Request from Italian American Club in Flemington – Re: Picnic

Clerk MacConnell explained that a member of the Italian American Club of Flemington contacted the township requesting to reschedule their picnic, which was originally scheduled to be held at the Kingwood Park on Sunday, October 7th, 2012. She explained that they would like to reschedule to the following Sunday, October 14th, 2012 due to the weather that is predicted. She stated that the same member of the Italian American Club came to the last Township Committee meeting asking permission to serve alcohol, and they would like the township to approve it for the new date. Clerk MacConnell stated that a new resolution needs to be adopted in order for them to serve alcohol on the new date. She stated that they have handed in their new insurance certificate for the rescheduled date of Sunday, October 14th, 2012.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 97

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

WHEREAS, the Italian American Club of Hunterdon County has reserved the use of the new pavilion and parking area at Kingwood Park to utilize for a “Italian American Heritage Club Picnic” on October 14, 2012; and

WHEREAS, the Italian American Club of Hunterdon County has requested permission to serve alcoholic beverages during the picnic on October 14, 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 picnic on October 14, 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:

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

Board of Health News

Deputy Mayor Lubitz noted that a resident came to the township's Board of Health meeting recently and claims that in amending the well ordinance, it has prohibited him from building his home and that one of the issues are his animals. Deputy Mayor Lubitz stated that he has looked at the ordinance and believes that livestock and pets meant for the personal use of the land owner should be exempt from the well yield calculation. He feels that in the case of a commercial stable there would be a concern about how much water was being used. He explained that if individuals wanted to have a few farm animals, the township may want to recalculate whether they should be considered. He reviewed information he obtained from Penn State. Mayor Niemann stated that the township does not want to constrain anyone in this way, and that the well ordinance subcommittee recently met in an effort to bring this to a conclusion. She noted that the township is trying to figure out where to draw the line between a sustainable amount of outdoor animals for personal use and more intense water consumption associated with business purposes. She explained that the New Jersey Department of Environmental Protection has regulations that set forth a formula for the requirement of manure management plans. The thought was that we may try to tie the way we express limitations in outdoor animals in our well ordinance to their policy. She stated that the township will soon be meeting with the State Agricultural Committee to discuss this situation and get their advice on how we should proceed.

OLD BUSINESS

Installation of Generator at DPW

Mayor Niemann noted that this is currently being worked on and that it should be installed before the winter.

Mayor Niemann asked if there had been any plans made, as far as, the repair of the door downstairs of the municipal building. Deputy Mayor Lubitz stated that he has spoken to the Construction Code Official/Building Inspector regarding a grant for the project. Mayor Niemann noted that she will look into this further and stated that this will need to be repaired either way.

Recognition for Employees

Mayor Niemann stated that last week there was an employee recognition luncheon at the Kingwood Park for several employees that have been with the township a long time. She stated that Diane Laudenbach and Mark Petro were honored for being with the township for 25 years, and Barbara Wilson was honored for 40 years with the township. The Committee Members stated that it was a very nice gathering and that everyone had a good time. All of the employees who attended the luncheon contributed to the expense of the luncheon and no cost to the taxpayers. Deputy Mayor Lubitz thanked Mayor Niemann for arranging the luncheon, and stated that it was very well deserved to those who were honored.

MINUTES

August 2, 2012 Regular Meeting

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt the August 2, 2012 Regular Meeting Minutes of the Township Committee.

ROLL CALL VOTE:	Aye	- Haywood, Lubitz, Niemann
	Nay	- None
	Abstain	- None
	Absent	- None

September 6, 2012 Regular Meeting

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt the September 6, 2012 Regular Meeting Minutes of the Township Committee with the following corrections:

Under Reports – Emergency Management Coordinator: First paragraph, last line – replace the word “sire” with the correct spelling “siren”.

ROLL CALL VOTE:	Aye	- Haywood, Lubitz, Niemann
	Nay	- None
	Abstain	- None
	Absent	- None

EXECUTIVE SESSION – RESOLUTION NO. 2012 - 95

The Committee Members returned to enter into closed session at approximately 8:25P.M.:

RESOLUTION NO. 2012 – 95

WHEREAS, Section 7 of the Open Public Meetings Act, Chapter 231 P.L. 1975 (R.S.10:4-13) permits the exclusion of the public from a meeting or a portion of a meeting of this public body in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

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

1. The public shall be excluded from the meeting or a portion of a meeting at which this public body discusses the hereinafter specified subject matter.

2. The general nature of the subject matter to be discussed is as follows:

Contract Negotiations – One Lowell Realty Assoc Inc Bl 17 L 14
Possible Litigation – Tax Appeal – DeSapio, Horseshoe Bend & Frenchtown
Run
Contract Negotiations – Cell Tower Lease

3. The time when the circumstances under which the discussions conducted in closed session of this public body can be disclosed to the public is as follows:

The minutes of the closed session will be made public upon conclusion, dismissal or settlement of litigation; or final resolution of agreements or personnel matters; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 13.

4. This resolution shall take effect immediately.

5. The Township Committee may take additional action upon returning to regular session.

It was moved by 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

RETURN TO REGULAR SESSION

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to return to regular session at 8:39P.M.
All voted Aye on Roll Call Vote.

Tax Appeal – DeSapio, Horseshoe Bend & Frenchtown Run

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to authorize the township attorney to file a “Correction of Errors Complaint” pursuant to NJSA 54:51A-7 for Block 6, Lot 12 from 1998-2006.

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

ADJOURNMENT

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adjourn the meeting at 8:40P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

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

