

KINGWOOD TOWNSHIP COMMITTEE

NOVEMBER 12, 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 November 8, 2012 and by e-mailing and telefaxing copies of the notice to the Express Times and Star Ledger on November 2, 2012. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on November 2, 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

Letter from State Dept of Agriculture re: Gypsy Moth Egg Mass Survey
Letter from State DEP Green Acres Program re: 2012 Funding Round

Bills and Claims

Public Comment – Privilege of the Floor

Reports

Tax Collector's Report of September 2012
Budget Report of Jan – October 2012
Revenue Report of September 2012
Municipal Court Report of September 2012
Construction Report of October 2012
Township Engineer's Monthly Report
NJSP – September 2012
Records Disposal – Tax Collector, Bd. of Health, Planning & Zoning Bds.,
Municipal Clerk, Animal Control
Emergency Mgt Coord – Hurricane Sandy Report

November 12, 2012 Township Committee Agenda Continued

Ordinances

Ordinance No. 17 – 15 -2012 An Ordinance of the Township of Kingwood, County of Hunterdon, State of New Jersey to Amend and Supplement the Land Use Regulations of the Township of Kingwood, Specifically “Zoning, Chapter 132” of the General Ordinances of the Township Establishing the Route 12 Scenic Corridor Overlay (SCO) Zone and Route 12 Scenic Corridor Overlay Zone Regulations – Introduction and Adoption on First Reading

Ordinance

Ordinance No. 17 – 16 -2012 An Ordinance of the Township of Kingwood, County of Hunterdon, State of New Jersey and Amend and Supplement the Land Use Regulations of the Township of Kingwood, Specifically “Zoning, Chapter 132” of the General Ordinances of the Township Establishing Eastern Gateway Village Center Overlay (EGVCO) Zone and Regulations – Introduction and Adoption on First Reading

Future Meetings & Activities

- November 17 -** Dumpsters at DPW at 255 Union Rd., for storm damaged items, from 9:00am – 1:00pm, for Kingwood Residents
- December 1 -** Annual Tree Lighting Ceremony at Kingwood Park, 200 Union Rd., beginning at 4:00PM
- December 6 -** Regular Monthly Township Committee Meeting at Municipal Building, beginning at 7:00pm
- December 8 -** Recycling at Township Garage from 9:00am – 12:00noon

Resolutions

- Resolution No. 2012-98 -** Consenting to Amendment to the Upper Delaware and Upper Raritan Water Quality Mgt. Plans
- Resolution No. 2012-99 -** FY 2010 Recycling Tonnage Grant
- Resolution No. 2012-100 -** 2012 Budget Appropriation Transfers
- Resolution No. 2012-101 -** Waiver of Construction Permit Fees for Hurricane Damage Repairs
- Resolution No. 2012-102 -** Authorizing Purchase from Allied Oil Through HCESC
- Resolution No. 2012-103 -** Authorizing Purchase Through County of Snow & Ice Materials
- Resolution No. 2012-104 -** Part Time Seasonal Work for Snowplowing
- Resolution No. 2012-105 -** Temporary Worker for Hurricane Emergency
- Resolution No. 2012-106 -** Rescinding Res 2012-89 to Accept Donations for Open Space
- Resolution No. 2012-107 -** Refund of Hunting Permit Fee
- Resolution No. 2012-108 -** Todd Kratzer

November 12, 2012 Township Committee Agenda Continued

New Business

Halloween – Trunk or Treat
Price Quotation for New Doors at Horseshoe Bend Park Building
Mayor's Meeting with NJSP Kingwood Station Commander

Old Business

Installation of Generator at DPW
Ehrlich Pest Control – Proposals for DPW Building
HART – Speed Sentry Sign

Ordinance

Ordinance No. 17-17-2012 An Ordinance Amending Late Fee Provisions of Chapter 57 "Animals" of the Code of the Township of Kingwood – Introduction and Adoption on First Reading

Repairs to Municipal Building – Downstairs Entryway
Clean Up Days Program – Transfer Station

Minutes

January 5, 2012 Executive Session
February 2, 2012 Executive Session 7:40pm-8:10pm
February 2, 2012 Executive Session 9:20pm-9:30pm
February 15, 2012 Special Meeting
February 15, 2012 Executive Session
September 25, 2012 Special Meeting
September 25, 2012 Executive Session
October 4, 2012 Regular Meeting
October 4, 2012 Executive Session
April 15, 2002 Regular Meeting
January 22, 2001 Special Meeting

Executive Session – Resolution No. 2012-109

Personnel – DPW Supervisor
Possible Litigation – Tax Appeal – Horseshoe Bend & Frenchtown Run
Discuss Corrections to Executive Session Minutes – 9-24-12 and 10-4-12

Return to Regular Session

September 25, 2012 Executive Session
October 4, 2012 Regular Meeting
Firehouse Meeting on November 18, 2012
E-mail from Resident
Schedule Year End Meeting

Adjournment

PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES

2012 - 301

November 12, 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, Newly Elected Richard Dodds, Diane Laudenbach and Clerk Mary E. MacConnell. Mayor Niemann called the meeting to order and following the salute to the flag read aloud the following:

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 November 8, 2012 and by e-mailing and telefaxing copies of the notice to the Express Times and Star Ledger on November 2, 2012. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on November 2, 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

Letter from State Dept. of Agriculture re: Gypsy Moth Egg Mass Survey

Mayor Niemann reviewed. She explained that after a survey which was conducted, there were no problems in the township regarding gypsy moths.

Letter from State DEP Green Acres Program re: 2012 Funding Round

Mayor Niemann reviewed the letter from the NJDEP, which explained that this is to notify the township that we will not be receiving funding for this round, due to the balance in the township's green acres account.

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 **\$1,109,089.96** that are in order and attached as Bill List for November 2012.

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

PUBLIC COMMENT - PRIVILEGE OF THE FLOOR

No public present.

REPORTS

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

Tax Collector's Report of September 2012

Budget Report of Jan – October 2012

Revenue Report of September 2012

Municipal Court Report of September 2012

Construction Report of October 2012

Township Engineer's Monthly Report

Deputy Mayor Lubitz noted that the township requested Engineer, Thomas Decker to draw up bid specs for the road project where Habitat of Humanity will be constructing affordable housing on Union Rd. He noted that it came to an amount of \$124,900, and contingency was \$137,400. He explained that initially the township's Department of Public Works would be working on this project, but they felt that it was beyond their capability. There was a discussion regarding how the township can cut down on the expenses, arrange funding, bidding and also timeframes.

Committeewoman Haywood asked a few questions regarding Chris' Citgo and if the resolution was adopted in January. Mayor Niemann noted that the zoning officers have set up a time frame of steps with the owner, and they should be checking that each step has been taken accordingly to the schedule. She stated that she will find out more information for Committeewoman Haywood.

NJSP – September 2012

Records Disposal – Tax Collector, Bd. of Health, Planning & Zoning Bds.,

Municipal Clerk, Animal Control

Mayor Niemann welcomed Richard Dodds, newly elected committeeman for 2013, and offered congratulations to him and to Diana Haywood.

Emergency Management Coordinator – Hurricane Sandy Report

Jack MacConnell was present and thanked everyone on the committee for their help. He reported the location of the FEMA office, which is at 77 Park Ave in Flemington NJ. He stated that there will be handouts available to the residents with this information. He noted that the Department of Public Works did a great job and went out of their way to get the roads open. He noted that Service Electric Cable TV will have crews out tomorrow to work on the cable. Mr. MacConnell suggested that the township schedule to meet with JCP&L, so that the residents can speak to them with their suggestions. He noted that on Saturday, November 17, 2012 from 9:00a.m. - 1:00p.m., will be a cleanup day for those who have damaged items from the recent storm.

He stated that he will be rescinding the “State of Emergency” tomorrow for the township, and that most of the roads are passable for the school buses to get through. He noted that the township has received a brand new generator for the Department of Public Works from FEMA, which was even filled with fuel. He stated that this will be hooked up and running as soon as possible. Jack MacConnell requested that he be included when choosing members of the Emergency Management Council for the upcoming year. He feels that a letter to the Governor and BPU should be written regarding the response from JCP&L. He noted that they did do something amazing by cutting trees from a helicopter with long blades hanging in the air. He also recommended some venue be found to offer residents a way to discuss their troubles. He noted that there were some issues during the aftermath of the storm. Mayor Niemann expressed thanks to Jack MacConnell and everyone that worked together to help everyone get through the aftermath of the storm. She noted how the Kingwood School opened their doors for residents to get warm, fill up with water, bring computers for Wi-Fi and charge cell phones. She explained that the local scouts tried to get a meal together for the residents, but as it worked out the timing was not good. She stated that they are going to be more prepared and try to serve hot meals at the firehouse if this ever happened again. Mayor Niemann also noted that they are very grateful for the township’s Department of Public Works and all they did after the storm. She stated they worked day and night to clear the roads.

Mayor Niemann thanked Kingwood resident Jill Dodds, for enlarging a photograph of the DPW building, and having it framed. This will be given to the DPW to hang in the hallway as a token of our thanks.

ORDINANCES

ORDINANCE NO. 17 – 15 -2012 AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT THE LAND USE REGULATIONS OF THE TOWNSHIP OF KINGWOOD, SPECIFICALLY “ZONING, CHAPTER 132” OF THE GENERAL ORDINANCES OF THE TOWNSHIP ESTABLISHING THE ROUTE 12 SCENIC CORRIDOR OVERLAY (SCO) ZONE AND ROUTE 12 SCENIC CORRIDOR OVERLAY ZONE REGULATIONS – Introduction and Adoption on First Reading

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

Planner David Banisch was present and reviewed some minor revisions, as a result of the Planning Board’s comments and recommendations.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt on first Reading **ORDINANCE NO. 17 – 15 -2012 AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT THE LAND USE REGULATIONS OF THE TOWNSHIP OF KINGWOOD, SPECIFICALLY “ZONING, CHAPTER 132” OF THE GENERAL ORDINANCES OF THE TOWNSHIP ESTABLISHING THE ROUTE 12 SCENIC CORRIDOR OVERLAY (SCO) ZONE AND ROUTE 12 SCENIC CORRIDOR OVERLAY ZONE REGULATIONS.**

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

Consideration of final adoption at a public hearing is scheduled for Monday, December 17, 2012 at a meeting beginning at 7:00 P.M. at the municipal building.

ORDINANCES

ORDINANCE NO. 17 – 16 -2012 AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AND AMEND AND SUPPLEMENT THE LAND USE REGULATIONS OF THE TOWNSHIP OF KINGWOOD, SPECIFICALLY “ZONING, CHAPTER 132” OF THE GENERAL ORDINANCES OF THE TOWNSHIP ESTABLISHING EASTERN GATEWAY VILLAGE CENTER OVERLAY (EGVCO) ZONE AND REGULATIONS – Introduction and Adoption on First Reading

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

Planner David Banisch was present and reviewed the ordinance.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt on first Reading **ORDINANCE NO. 17 – 16 -2012 AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AND AMEND AND SUPPLEMENT THE LAND USE REGULATIONS OF THE TOWNSHIP OF KINGWOOD, SPECIFICALLY “ZONING, CHAPTER 132” OF THE GENERAL ORDINANCES OF THE TOWNSHIP ESTABLISHING EASTERN GATEWAY VILLAGE CENTER OVERLAY (EGVCO) ZONE AND REGULATIONS.**

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

Consideration of final adoption at a public hearing is scheduled for Monday, December 17, 2012 at a meeting beginning at 7:00 P.M. at the municipal building.

FUTURE MEETINGS AND ACTIVITIES

Mayor Niemann reviewed as per the Agenda.

RESOLUTIONS

Resolution No. 2012-98 - Consenting to Amendment to the Upper Delaware and Upper Raritan Water Quality Mgt. Plans

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 98

**ATTACHMENT
STATEMENT OF CONSENT**

**A RESOLUTION CONSENTING TO THE PROPOSED WATER
QUALITY MANAGEMENT (WQM) PLAN AMENDMENT
ENTITLED “Amendment to the Upper Delaware and Upper Raritan
Water Quality Management Plans (WQMP)”**

WHEREAS, the Board of Chosen Freeholders of Hunterdon County desires to provide for the orderly development of wastewater facilities within **Hunterdon County**; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on September 4th, 2012 for the above Amendment has been prepared by the Hunterdon County Planning Department;

NOW, THEREFORE, BE IT RESOLVED on this 12TH day of November, 2012, by the Township Committee of the Township of Kingwood that:

1. The Kingwood Township Committee hereby consents to the amendment entitled “Amendment to the Upper Delaware and Upper Raritan Water Quality Management Plans (WQMP)”, and publicly noticed on September 4, 2012, prepared by the Hunterdon County Planning Department, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

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 No. 2012-99 - FY 2010 Recycling Tonnage Grant

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 - 99

**APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:4-87)
FISCAL YEAR 2010 RECYCLING TONNAGE GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood, in the County of Hunterdon, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$9,189.05, which item is now available as a revenue from the State of New Jersey, as a reimbursement to Kingwood Township in the amount of \$9,189.05.

BE IT FURTHER RESOLVED that the like sum of \$9,189.05 is hereby appropriated under the caption 2010 Recycling Tonnage Grant; and

BE IF FURTHER RESOLVED that the above is a result of a grant of \$9,189.05 from the State of New Jersey.

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

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

Resolution No. 2012-100 - 2012 Budget Appropriation Transfers

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 100

2012 BUDGET APPROPRIATION TRANSFERS

BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to make the following transfers within the 2012 Budget Appropriations:

FROM ACCOUNT	TO ACCOUNT	AMOUNT
122-1300-440	122-0400-302	1000.00
122-1300-440	122-0400-304	1300.00
TOTAL TRANSFERRED:		2300.00

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 No. 2012-101 - Waiver of Construction Permit Fees for Hurricane Damage Repairs

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 101

**WAIVER OF CONSTRUCTION PERMIT FEES
FOR HURRICANE SANDY AND NOR'EASTER DAMAGE REPAIRS**

WHEREAS, the Kingwood Township Committee has considered waiving construction permit fees for work done as a result of damages caused by Hurricane Sandy; and

WHEREAS, pursuant to N.J.A.C. 5:23-4.19(b)5 the State permit fees will also be waived;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that the Construction Official is hereby authorized to waive construction permit fees for repairs to damages resulting from Hurricane Sandy and the Nor'easter Storm, which occurred from October 29th through November 9th, 2012 and upon receipt of a completed *Application for Fee Waiver*, as attached.

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 No. 2012-102 - Authorizing Purchase from Allied Oil Through HCESC

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 - 102

**AUTHORIZING PURCHASE FROM ALLIED OIL THROUGH THE
HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION**

WHEREAS, Kingwood Township has a need for certain goods and services that are offered through cooperative purchasing with the Hunterdon County Educational Services Commission (“HCESC”); and

WHEREAS, N.J.S.A. 40A:11-10 and 11-11 authorize a municipality to enter into cooperative pricing agreements with an educational services commission for the provision of goods and services through an educational services commission, rather than through public bidding; and

WHEREAS, the Township of Kingwood, by way of Resolution 2009-24, authorized the entry of the Township as a member of the Hunterdon County Educational Services Commission, which membership has been accomplished; and

WHEREAS, the Township of Kingwood desires to purchase fuel oil, diesel fuel and gasoline through the Hunterdon County Educational Services Commission.

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

1. The Township of Kingwood, as a member of the Hunterdon County Educational Services Commission, hereby authorizes the purchase of fuel oil, diesel fuel and gasoline from the low bidder for these items, Allied Oil, per the bid amounts set forth in correspondence from the Hunterdon County Educational Services Commission dated August 21, 2012 attached hereto and made a part hereof as Exhibit A.

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 No. 2012-103 - Authorizing Purchase Through County of Snow & Ice Materials

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 - 103

**AUTHORIZING PURCHASE THROUGH COUNTY
COOPERATIVE PRICING OF SNOW AND
ICE MATERIALS**

WHEREAS, Kingwood Township has a need for certain goods and services that are offered through cooperative pricing with the County of Hunterdon; and

WHEREAS, N.J.S.A. 40A:11-10 and 11-11 authorize a municipality to enter into cooperative pricing agreements with a County for the provision of goods and services through a County, rather than through public bidding; and

WHEREAS, the Township of Kingwood is a member of the County of Hunterdon Cooperative Pricing System.

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

1. The Township of Kingwood, as a member of the Hunterdon County Cooperative Pricing, hereby authorizes the purchase of Snow and Ice Control Materials from the low bidder for these items, International Salt Company, LLC, per the bid amounts set forth in correspondence from Hunterdon County dated October 16, 2012, attached hereto and made a part hereof as Exhibit A.

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 No. 2012-104 - Part Time Seasonal Work for Snowplowing

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 104

PART TIME SEASONAL WORKERS

WHEREAS, the Township is in need of part time seasonal help during only certain times of the year, such as for snowplowing;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that Mark Hendrickson is appointed as a part time seasonal worker for the Department of Public Works for the year 2012 and 2013, at a rate of \$20.00 per hour.

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 No. 2012-105 - Temporary Worker for Hurricane Emergency

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 105

PART TIME SEASONAL WORKERS

WHEREAS, the Township is in need of part time emergency help during the clean up as a result of Hurricane Sandy and the Nor'easter Storm;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that John B. McNally is appointed as a part time emergency worker for the Department of Public Works for the clean up after Hurricane Sandy and the Nor'easter Storm, which took place from October 29th through November 9th, 2012, at a rate of \$20.00 per hour.

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

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

Resolution No. 2012-106 - Rescinding Res 2012-89 to Accept Donations for Open Space

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 106

RESCINDING RESOLUTION NO. 2012 - 89

WHEREAS, Kingwood Township adopted Resolution No. 2012-89 to request approval by the Division of Local Government Services to accept donations for an Open Space, Recreation, Farmland and Historic Preservation budget rider; and

WHEREAS, Kingwood Township is able to accept donations for Open Space, Recreation, Farmland and Historic Preservation through their current Open Space Trust Fund.

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 Resolution No. 2012-89 is hereby rescinded.

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 No. 2012-107 - Refund of Hunting Permit Fee

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 – 107

REFUND OF HUNTING PERMIT FEE

WHEREAS, Lance Jacobs applied and submitted payment for a hunting permit to hunt at the Horseshoe Bend Park in the amount of \$25.00; and

WHEREAS, the Parks and Recreation Commission has recommended the refund to Lance Jacobs in the amount of \$25.00.

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 \$25.00 to Lance Jacobs, 505 Dori Place, Stewartsville, New Jersey, 08886.

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 No. 2012-108 - Todd Kratzer

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2012 - 108

Whereas, Todd W. Kratzer, a 19 year resident of Kingwood Township, respected and beloved by those who knew him, left this world suddenly on October 7th, and the Township Committee seeks to memorialize his contributions to our residents; and

Whereas, Todd donated countless hours of his time and professional expertise for the benefit of Kingwood Township residents; and

Whereas, Todd was instrumental in the development and refinement of the Kingwood Township Board of Health Ordinance, colloquially referred to as the “well ordinance”, which will protect the water supply of our residents throughout the years to come; and

Whereas, Todd’s employment with the NJ Water Supply Authority brought to Kingwood Township the opportunity to participate in trial groundwater recharge and storm water runoff studies, and the data collected from those studies will be used to the benefit of our residents and the environment; and

Whereas, Todd was an active member of the Kingwood Township Planning Board, Board of Health and numerous subcommittees where so much of his knowledge was put to work for the benefit of our residents; and

Whereas, Todd displayed good humor and endless patience with the members of the committees and boards on which he served as he explained complicated scientific concepts in many different ways so that we would all understand them; and

Whereas, Todd never took the easy way out by relenting on issues that were important to him, instead, he put forth his opinion and supported his position with the data that he knew so well, all so that the boards and committees on which he served would be guided towards policies Todd believed would protect the residents and the environment of the township;

Now, Therefore, I, Elaine M. Niemann, Mayor of Kingwood Township, on behalf of the Township Committee, do hereby express our sincere gratitude to Todd’s family for all that he has done to safeguard the water supply for our residents and we express our heartfelt condolences to his family in their loss of a loving husband and father.

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

Halloween – Trunk or Treat

Mayor Niemann noted that she received a suggestion from a resident regarding safe trick or treating called “Trunk or Treat” to be held at a central location such as the park or another location. She stated that the resident has offered to execute the plan. Mayor Niemann suggested this be referred to the Parks and Recreation Committee.

Price Quotation for New Doors at Horseshoe Bend Park Building

Richard Dodds was present and reviewed the two price quotes, which he obtained for new doors at the large building at the Horseshoe Bend Park. He read aloud the following quotes:

KJK Door Systems LLC	\$5,204.64	paper quote
Dan Maur Builders	\$5,645.00	paper quote

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to obtain new doors for the large building at Horseshoe Bend Park with KJK Door Systems LLC at a price of \$5,204.64.

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

There was a brief discussion on the various activities going on at the Horseshoe Bend Park, and the various fees being paid into the township. Richard Dodds noted that the expense for the new doors will be paid for by the rent collected for the organizations that use the park regularly. Mayor Niemann thanked Richard Dodds for all of his efforts put towards the Horseshoe Bend Park.

Mayor's Meeting with NJSP Kingwood Station Commander

Mayor Niemann reported the New Jersey State Police are very interested in taking part in the emergency exercise when the township schedules one to be at the Horseshoe Bend Park. She stated that they told her that they often go out to various parks in the area for their fitness workouts. She noted that there was a discussion on the speed signs. She noted that the Commander suggested that the township obtain a sign from HART, and that the NJ State Police will also give the township one to use. She noted that they suggested that the DPW purchase a sign so it could be moved around to where it is needed. She stated that it is approximately \$8,000.00 to purchase a sign. Mayor Niemann also discussed improved emergency communication with the township residents. The Station Commander will check with the County Office of Emergency Management and see if alerts can be directed just to Kingwood Township. She noted that she will bring back information on different systems for next month's meeting. Mayor Niemann reviewed the township's monthly reports with the trooper and he feels that Kingwood Township is doing very well.

OLD BUSINESS

Installation of Generator at DPW

There was a discussion on the generator for the DPW. The Committee Members agreed to obtain new price quotations using Richard Dodd's specs.

Ehrlich Pest Control – Proposals for DPW Building

Clerk MacConnell explained the mice problem that was occurring at the DPW building . She explained how Ehrlich came out and set up their pest control for the mice problem. She stated that after speaking to the DPW Supervisor, there is no need for additional services and that they will take care of the traps themselves.

HART – Speed Sentry Sign

Clerk MacConnell explained that the township is scheduled to receive the sign the last week of November.

Ordinance Code Chapter 57 Animals

Mayor Niemann reviewed the trap/neuter/release program that the township is currently using. She stated that this costs approximately \$150.00 per animal.

She explained that there is a mobile clinic that Traci Fleming will be looking into and she will also speak to Greg Pacifico, a local veterinarian regarding what he would need to setup for a safe operating room. She stated that Traci Fleming feels it is important to change the late fees for dog licenses. She noted that Traci explained it has been difficult to administer them. Traci Fleming suggested instead of starting out with a late fee of \$30.00 after February 11th, she suggested to make the late fee \$10.00 from February 11th - 28th, and then from March 1st to the 15th a \$20.00 fee, and then there after the fee would be \$30.00. Mayor Niemann noted that she needs to speak to Traci Fleming regarding families that have several dogs. She stated that this would give residents an opportunity after the deadline has passed to still license their dogs without the \$30 per dog fee. Mayor Niemann noted that this would be a fairly simple amendment to the ordinance. Mayor Niemann entertained a motion to introduce the amended ordinance.

ORDINANCE

ORDINANCE NO. 17-17-2012 AN ORDINANCE AMENDING CHAPTER 57 “ANIMALS” LATE FEE PROVISIONS OF THE CODE OF THE TOWNSHIP OF KINGWOOD – Introduction and Adoption on First Reading

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

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt on first Reading **ORDINANCE NO. 17-17-2012 AN ORDINANCE AMENDING CHAPTER 57 “ANIMALS” LATE FEE PROVISIONS OF THE CODE OF THE TOWNSHIP OF KINGWOOD**

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

Consideration of final adoption at a public hearing is scheduled for Monday, December 17, 2012 at a meeting beginning at 7:00 P.M. at the municipal building.

Repairs to Municipal Building – Downstairs Entryway

The Committee Members asked for this to be carried over until next month’s meeting. The Committee Members noted that this will need to wait until the spring to be repaired.

Clean Up Days Program – Transfer Station

Mayor Niemann announced that the County Transfer Station located in Annandale NJ will not be closing.

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She noted that there was a person that saw an article stating that the Transfer Station in Annandale would be closing soon. She explained that since there was talk of the facility closing, that there was a suggestion to add more cleanup days to the calendar year for the township, but she stated that this will no longer be necessary.

Office Cleanup Day

Mayor Niemann commented on the office cleanup day. She stated that it went very well and that there was a lot accomplished that day. She is hoping to have another cleanup day for the office before the end of the year.

MINUTES

January 5, 2012 Executive Session

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the January 5, 2012 Executive Session Meeting Minutes.

ROLL CALL VOTE:

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

February 2, 2012 Executive Session 7:40pm-8:10pm

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the February 2, 2012 Executive Session Meeting Minutes 7:40p.m.-8:10p.m.

ROLL CALL VOTE:

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

February 2, 2012 Executive Session 9:20pm-9:30pm

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the February 2, 2012 Executive Session Meeting Minutes 9:20p.m.-9:30p.m.

ROLL CALL VOTE:

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

February 15, 2012 Special Meeting

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It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the February 15, 2012 Special Meeting Minutes of the Township Committee.

ROLL CALL VOTE:

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

February 15, 2012 Executive Session

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the February 15, 2012 Executive Session Meeting Minutes.

ROLL CALL VOTE:

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

September 25, 2012 Special Meeting

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the September 25, 2012 Special Meeting Minutes of the Township Committee.

ROLL CALL VOTE:

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

September 25, 2012 Executive Session

Committeewoman Diana Haywood noted that she needed to discuss a few things regarding the minutes. Attorney Kopen noted that this will be discussed in executive session.

October 4, 2012 Regular Meeting

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the October 4, 2012 Regular Meeting Minutes of the Township Committee with the following corrections:

Page 7. Fourth line from the last paragraph, the word (attached) should be attacked.

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ROLL CALL VOTE:

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

October 4, 2012 Executive Session

Diana Haywood had a few questions about the minutes. Attorney Kopen noted that this will be discussed in executive session.

April 15, 2002 Regular Meeting

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the April 15, 2002 Regular Meeting Minutes of the Township Committee.

ROLL CALL VOTE:

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

January 22, 2001 Special Meeting

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the January 22, 2001 Special Meeting Minutes of the Township Committee.

ROLL CALL VOTE:

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

EXECUTIVE SESSION – RESOLUTION NO. 2012 - 109

The Committee Members returned to enter into closed session at approximately 8:50P.M.:

RESOLUTION NO. 2012 – 109

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

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

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

1. The public shall be excluded from the meeting or a portion of a meeting at which this public body discusses the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

Personnel – DPW Supervisor
Possible Litigation – Tax Appeal – Horseshoe Bend & Frenchtown Run
Discuss Corrections to Executive Session Minutes – 9-24-12 and 10-4-12

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

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

4. This resolution shall take effect immediately.
5. The Township Committee may take additional action upon returning to regular session.

It was moved by Mrs. 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

RETURN TO REGULAR SESSION

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to return to regular session at 9:00P.M. All voted Aye on Roll Call Vote.

September 25, 2012 Executive Session

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the minutes of the September 25, 2012 Executive Session with corrections discussed.

Roll Call Vote:

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

October 4, 2012 Executive Session

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt the minutes of the October 4, 2012 Executive Session with the corrections discussed in executive session.

Roll Call Vote:

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

Firehouse Meeting on November 18, 2012

Mayor Niemann noted that there will be a meeting with township officials and residents for an after the storm gathering at the Firehouse on Sunday, November 18th from 1:00 to 3:00pm. She noted that this meeting is to speak to the residents regarding suggestions and problems they may have encountered during the recent storm and outage.

E-mail from Resident

Mayor Niemann noted she received an e-mail from a resident who contacted State Senator Doherty's office to pass a bill that would allow municipalities to have their own contracts for restoration of services with an outside contractor. She asked the Township Committee whether this would be worth looking into or not and if they should meet with representatives from JCP&L. Deputy Mayor Lubitz noted that they are still finishing up their repair work. There was a lengthy discussion on how to communicate with the public during these types of outages. It was noted that it may be best to put information from the township's office of emergency management on the website.

Year End Meeting Scheduled

The Township Committee discussed scheduling a meeting at the end of December to pay bills and discuss appointments. It was agreed to schedule the special meeting for the Township Committee on Friday, December 28, 2012 3:00pm.

ADJOURNMENT

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adjourn the meeting at 9:20P.M. All voted **Aye** on **Roll Call Vote**.

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

