

**KINGWOOD TOWNSHIP COMMITTEE**

**MARCH 7, 2013 – 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 10, 2013 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 4, 2013. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 4, 2013.**

**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.**

**Speed Sentry Sign – Liz Usmiani, HART Commuter Information Services**

**NJSP Report for – February 2013**

**Correspondence**

Letter from Senator Doherty re: NJ Recreational Trail Grant

Letter from D&R Canal Commission re: Habitat for Humanity Project

**Resolution No. 2013-21 - 2012 Budget Appropriation Transfers**

**Bills and Claims**

**Public Comment – Privilege of the Floor**

**Reports**

Emergency Management Coordinator

Finance Department:

Budget Report through January 2013

Revenue Report of January 2013

Tax Collector's Report of January 2013

Animal Control Log

## **March 7, 2013 Kingwood Township Committee Agenda Continued**

### **Reports Continue**

Construction Report of February 2013  
Dog License Report through February 2013  
Municipal Court Report of January 2013  
Township Engineer's Report

### **Future Meetings & Activities**

**March 9 -** Recycling at Township Garage from 9:00am-12:00noon  
**April 1 -** Deadline to file petition with Twp Clerk by 4:00PM for office of Township Committee for June Primary  
**April 4 -** Regular Monthly Mtg of Township Committee at Municipal Building beginning at 7:00PM  
Schedule Budget Mtg date with Twp Auditor

### **Ordinances**

**Ordinance No. 17-04-2012 CY2013 To Establish A Cap Bank – Public Hearing and Final Adoption**

**Ordinance No. 17-05-2013 Amend Chapter 75A-Fees, Chapter 34 - Recreation Commission And Parks And Recreation Committee and Chapter 94 - Open Space and Recreation Areas – Public Hearing and Final Adoption**

**Ordinance No. 17-06-2013 Amending Ordinance No. 17-14-2012 Providing For The Appropriation For The Cost Of The Acquisition Of The Township's Share Of The Development Easement For Farmland Preservation For Block 7 L 6, Appropriating \$122,500.00 Therefor From The Open Space Trust Fund – Introduction and Adoption on First Reading**

**Ordinance No. 17-07-2013 Amending Ordinance No. 17-07-2012 Fixing The Salaries And Compensation Of The Various Officers And Employees Of The Township – Introduction and Adoption on First Reading**

### **Resolutions**

**Resolution No. 2013-22 -** Authorizing Payment to HLT  
**Resolution No. 2013-23 -** Authorizing Rutgers Coop Ext as Agent for Union Road Swale Project  
**Resolution No. 2013-24 -** Supporting State Open Space Funding  
**Resolution No. 2013-25 -** 2013 DPW Salaries  
**Resolution No. 2013-26 -** Recycling Tonnage Grant  
**Resolution No. 2013-28 -** End Waiver of Construction Permit Fees

### **New Business**

Receipt of Proposals for Information Technology Services

## **March 7, 2013 Kingwood Township Committee Agenda Continued**

### **New Business Continued**

Application for Raffles Licenses:

BBBS of Hunterdon Somerset & Warren

Woman's Club of Flemington

Sample Ordinances Regarding NJSA 54:5-12 Fire Insurance Claims

**Ordinance No. 17-08-2013 – An Ordinance of the Township of Kingwood, County of Hunterdon, State of New Jersey Regarding Fire Insurance Claims – Introduction And Adoption on First Reading**

Affordable Housing Administration Services

Discuss Township Street Lights

### **Old Business**

Clean Up Day Program Quotations

Accept Resignation from Finance Office

Review Proposed Agreement with NJDEP for Recreational Trails Program Grant

### **Minutes**

February 7, 2013 Regular Meeting

February 7, 2013 Executive Session

### **Executive Session – Resolution No. 2013-27**

Personnel – Township Handbook and Policies and Procedures Manual

### **Return to Regular Session**

Authorize C.F.O./Tax Collector to Advertise for Financial Assistant

### **Adjournment**

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

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March 7, 2013

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

Also present at the meeting were Committeeman Richard Dodds, Attorney Judith Kopen, C.F.O. Diane Laudенbach, Deputy Clerk Cynthia Keller and Clerk Mary E. MacConnell. Deputy Mayor Diana Haywood was absent. Mayor Lubitz 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 10, 2013 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 4, 2013. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 4, 2013.**

**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.**

### **Speed Sentry Sign – Liz Usmiani, HART Commuter Information Services**

Liz Usmiani from HART Commuter Information Services of Hunterdon County was present to review a speed sentry data report for Kingwood Township which she provided. The study was taken from December 18<sup>th</sup> to January 24<sup>th</sup>, 2013. She noted that HART places a speed data system in each municipality for one month to obtain information on how much traffic and check on the speed the public is driving on a certain road. Liz Usmiani explained that it was placed on Spring Hill Road between Kingwood Road (County Road 519) and Horseshoe Bend Road in Kingwood Township. She explained that the sign was programmed to one of two settings for responding to an oncoming vehicle, a stealth mode – no screen display, and a display mode – displays the vehicle's speed and flashes a strobe light to violators. She explained that it was put in stealth mode for the first 10 days for the purpose to gauge a baseline data estimate of the number of speeders. The following 28 days the sign was changed to display mode, which is programmed to display motorists speed, and in addition to flash a strobe to any cars that exceeded 35mph. She explained that the system was there for a total period of 38 full days, 28 weekdays and 10 days on weekends. Liz Usmiani reviewed the overall summary of the report. She stated the speed limit on the speed data was set for the speed limit 35mph, and that the average speed was 19mph. She stated that 17mph was the 50<sup>th</sup> percentile speed, 21mph was the 85<sup>th</sup> percentile speed, maximum speed was 83mph, and minimum speed 8mph.

She stated there were approximately 91 vehicles per day on weekdays, and an average of 79 vehicles on Saturday and Sundays. Liz Usmiani reviewed the conclusions and suggested recommendations, which were a police car be present during school time arrival and departure, morning rush hour, school events and other occasions that would generate a large volume of traffic on Spring Hill Road. She explained that this would influence drivers to take notice of the speed limit and induce a good driving behavior. She stated the township should request another loan for a speed sentry data system if the speed is perceived to increase in the future. The Township Committee thanked Liz Usmiani for coming to explain the speed sentry data report for Kingwood Township.

NJSP Report for February 2013

Lieutenant Kasey Dienes, Station Commander of the Kingwood Township State Police Department

Lieutenant Kasey Dienes was present and also thanked Liz Usmiani from HART Commuter Information Services for the information she provided, which he noted is very useful for the NJ State Police. Lt. Dienes provided and read aloud the NJSP monthly report and handed out a flyer regarding Hunterdon Crimestoppers. He explained that it is a volunteer group even though it is nationwide, but it is the first time in Hunterdon County. He explained that they are a group that offers cash rewards that lead to finding out more about crimes in the area. He stated that they are looking to put the program in the local High School. Mayor Lubitz commented on the newsletter, which the township will be sending out in the spring mailing. He suggested that information regarding Crimestoppers should be included in the letter. Mayor Lubitz also reported on a recent death that occurred in the township, and noted that the trooper who stayed with the wife of the deceased was very supportive and kind to stay with her until someone she knew arrived. He wanted Lt. Dienes to pass this on to the trooper who helped out that day.

**CORRESPONDENCE**

Letter from Senator Doherty re: NJ Recreational Trail Grant

Mayor Lubitz reviewed and congratulated his colleague Richard Dodds for his hard work in bringing some money back to the township.

Letter from D&R Canal Commission re: Habitat for Humanity Project

Mayor Lubitz reviewed the letter from the D&R Canal Commission. He explained that a good deal of the township lies within the Delaware and Raritan Canal Commission jurisdiction. He noted that the project with Habitat for Humanity lies within that area, therefore the township had to go before the D&R Canal Commission. He explained that substantial fees are involved with this project, and explained that the township negotiated. He noted that after negotiating they reduced their fee in half. Mayor Lubitz thanked Attorney Kopen for her assistance in this matter.

Resolution No. 2013-21 - 2012 Budget Appropriation Transfers

RESOLUTION

The following Resolution was introduced:

**RESOLUTION NO. 2013 – 21**

**2012 RESERVE 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 Reserve Budget Appropriations:

<b>FROM ACCOUNT</b>	<b>TO ACCOUNT</b>	<b>AMOUNT</b>
122-1300-420	122-1300-460	\$1000.00
<b>TOTAL TRANSFERRED:</b>		\$1000.00

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

**Roll Call Vote:**

<b>AYE</b>	<b>- Dodds, Lubitz</b>
<b>NAY</b>	<b>- None</b>
<b>ABSTAIN</b>	<b>- None</b>
<b>ABSENT</b>	<b>- Haywood</b>

**BILLS AND CLAIMS**

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to approve and pay all bills and claims in the amount of **\$647,783.53** that are in order and attached as Bill List for March 2013.

**Roll Call Vote:**

<b>AYE</b>	<b>- Dodd, Lubitz</b>
<b>NAY</b>	<b>- None</b>
<b>ABSTAIN</b>	<b>- None</b>
<b>ABSENT</b>	<b>- Haywood</b>

**PUBLIC COMMENT - PRIVILEGE OF THE FLOOR**

No public comments.

Emergency Management Coordinator

Jack MacConnell was present and reported receiving a letter from Joe Zdrodowski, a resident of Byram, in Kingwood Township who is making a claim for Hurricane Irene and Lee. He explained that he is asking for a letter from the township, which states he has repetitive damage to his home and property and has obtained construction permits. He noted that it has been agreed that the Construction Official and the Zoning Official who are the floodplain management officials will work together on a letter to be sent to the State. Mr. MacConnell then reported on amounts the township will be reimbursed from FEMA for Superstorm Sandy. He explained this would be approximately \$75,000. He stated that on June 8<sup>th</sup>, 2013 there will be a full day first responder's drill, which will include the fire department, the rescue squad and the State Fire Service at the Horseshoe Bend Park. He stated that they are trying to get everything together for the new radio system to be installed. He noted that the County OEM has the area of Byram spotlighted in case there is an emergency, which then they can immediately notify residents who are registered. He stated that they will be distributing registration information to residents during the annual mailing. There was also a discussion on a system JCP&L has started for disabled persons who are registered with them.

**REPORTS**

Mayor Lubitz noted that the following have been received and are available for review. He briefly reviewed the following reports.

Finance Department:

- Budget Report through January 2013
- Revenue Report of January 2013
- Tax Collector's Report of January 2013
- Animal Control Log
- Construction Report of February 2013
- Dog License Report through February 2013
- Municipal Court Report of January 2013
- Township Engineer's Report

**FUTURE MEETINGS AND ACTIVITIES**

Mayor Lubitz reviewed as per the Agenda.

Schedule Budget Mtg. Date with Twp. Auditor

The Committee Members discussed a date for a budget meeting with the township's auditor. They have decided to discuss a date with Deputy Mayor Haywood before making a decision.

**ORDINANCES**

**ORDINANCE NO. 17-04-2013 CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) – Public Hearing and Final Adoption**

Mayor Lubitz 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 7<sup>th</sup> day of February 2013. The Ordinance was published in the Hunterdon County Democrat on February 21, 2013 and has been posted in the Kingwood Township Municipal Building on February 8<sup>th</sup>, 2013. Copies of the Ordinance have been available for inspection by the public since February 8<sup>th</sup>, 2013.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to open the hearing to the public. **All voted Aye on Roll Call Vote.**

Comments: No public comments.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to close the hearing to the public. **All voted Aye on Roll Call Vote.**

**ORDINANCE NO. 17 – 04 – 2013**

**CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, NJSA 40A:4-45.1 et seq., provides that in the preparation of its annual budget a municipality shall limit any increase in said budget to two and one-half percent (2.5%) unless authorized by ordinance to increase it to three and one-half percent (3.5%) over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, NJSA 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the three and one-half (3.5%) percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Township Committee of the Township of Kingwood in the County of Hunterdon finds it advisable and necessary to increase its 2013 budget by up to three and one half percent (3.5%) over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Committee of the Township of Kingwood in the County of Hunterdon hereby determines that a three and one half percent (3.5%) increase in the budget for said year, amounting to \$27,489.82 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Township Committee of the Township of Kingwood and County of Hunterdon hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Kingwood, in the County of Hunterdon and State of New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2013 budget year, the final appropriations of the Township of Kingwood shall, in accordance with the ordinance and NJSA 40A:4-45.14 be increased by 3.5%, amounting to \$64,142.92, and that the 2013 municipal budget for the Township of Kingwood be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED** that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the foregoing Ordinance.

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

**ORDINANCE**

**ORDINANCE NO. 17-05-2013 AMENDING FEES FOR KINGWOOD TOWNSHIP PARKS SET FORTH IN ARTICLE III OF CHAPTER 34, “RECREATION COMMISSION AND PARKS AND RECREATION COMMITTEE” AND CHAPTER 94, “OPEN SPACE AND RECREATION AREAS” OF THE CODE OF THE TOWNSHIP OF KINGWOOD**– Public Hearing and Final Adoption

Mayor Lubitz 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 7<sup>th</sup> day of February 2013. The Ordinance was published in the Hunterdon County Democrat on February 21, 2013 and has been posted in the Kingwood Township Municipal Building on February 8<sup>th</sup>, 2013. Copies of the Ordinance have been available for inspection by the public since February 8<sup>th</sup>, 2013.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to open the hearing to the public. **All voted Aye on Roll Call Vote.**

No comments from the public.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to close the hearing to the public. **All voted Aye on Roll Call Vote.**

**ORDINANCE NO. 17 – 05 - 2013**

**AN ORDINANCE AMENDING FEES FOR KINGWOOD TOWNSHIP PARKS SET FORTH IN ARTICLE III OF CHAPTER 34, “RECREATION COMMISSION AND PARKS AND RECREATION COMMITTEE” AND CHAPTER 94, “OPEN SPACE AND RECREATION AREAS” OF THE CODE OF THE TOWNSHIP OF KINGWOOD**

**WHEREAS**, it has been recommended by the Kingwood Township Parks and Recreation Committee that certain changes be made to the rules and regulations pertaining to Kingwood Township Parks; and

**WHEREAS**, the Township Committee has reviewed the recommendations of the Kingwood Township Parks and Recreation Committee and concurs with those recommendations; and

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

**I) Section 34-8 of Chapter 34 shall be amended by deleting Sections 34-8 (A), (B) and (C) in their entirety and replacing those sections with the following:**

**A. Kingwood Park – Union Road**

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- |  |  |
|--|--|
| 1. Use of the Fields by any Kingwood sports teams                                    | No Charge  |
| 2. Pavilion Charge:  |  |
| Resident   | No Charge  |
| Non-Resident   | \$250.00 first 50 people<br>\$100.00 for each addl. 50 people<br>8 hour limit per event - \$50.00 per<br>addl. hour<br>\$50.00 cancellation fee with 15 days<br>of event |
| 3. Organizations (not charging a per event fee)<br>using any part of Kingwood Park   | No Charge  |
| 4. Profit Businesses to Use Park fields<br>(To use Pavilions see Non-Resident above) | \$75.00 a day  |
| 5. “Kingwood Community Day” Vendors  |  |
| Booth Spaces (an area approximately 10’ x 10’)                                       | \$25.00 /per booth space   |
| Food vendors   | \$125.00   |
| 6. Kingwood - Yard Sale at Park  |  |
| Booth Spaces (an area approximately 15’ x 20’)<br>(Kingwood Residents Only)          | \$10.00 /per booth space   |

**B. Horseshoe Bend Park**

1. Field usage at Horseshoe Bend Park for Township residents or Township organizations shall be \$75 per day.
2. Field usage at Horseshoe Bend Park for Non-Residents or Non-Township organizations shall be \$150 per day.
3. Organizations Using Outside Field Area and the Morton Building Bathroom Only:  
\$125.00 per day
4. Organizations Using the Morton Building  
\$150.00 per day\*

\$300.00 Deposit for cleaning Morton Building

\*During the “Heating Season” (November 15 through March 15) as defined by the New Jersey Department of Community Affairs, there will be a \$50.00 per day oil surcharge.

5. Organizations (not charging a per event fee) Use of the Large Morton Building.–  
Ongoing activities

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(Use of the building eight (8) days within a calendar month)

\$35.00 per day\*

\*During the “Heating Season” (November 15 through March 15) as defined by the New Jersey Department of Community Affairs, there will be a \$50.00 per day oil surcharge.

6. Storage Facility – At HBP

Non-Profit organizations that are qualified under section 501 (c) (3) of the Internal Revenue Code of the United States of America storing equipment on/in trailers in the Open-air Hay Storage Facility - depending on available space.

\$25.00 per month – per trailer

C. A \$20.00 fee will be charged on any returned checks.

**II) Section 94-4 of Chapter 94 shall be amended by deleting Sections 94-4 (A), (B), (C) and (D) in their entirety and replacing those sections with the following:**

A. Fees for the use of Kingwood Township Parks shall be as set forth in Section 34-8 of Article III of Chapter 34, “Recreation Commission and Parks and Recreation Committee”.

B. The remaining subsections of Section 94-4 shall be re-lettered accordingly.

III) If any part or parts of this ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this ordinance.

IV) All Ordinance or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of the Code of the Township of Kingwood not inconsistent herewith are ratified and confirmed.

This Ordinance shall take effect immediately upon final adoption and publication according to law.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the foregoing Ordinance.

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

Committeeman Dodds stated that there will need to be clarification in this ordinance resolving questions regarding organizations and Kingwood sports, which means this ordinance will need to be amended in the future.

**ORDINANCE**

**ORDINANCE NO. 17-06-2013 AMENDING ORDINANCE NO. 17-14-2012 PROVIDING FOR THE APPROPRIATION FOR THE COST OF THE ACQUISITION OF THE TOWNSHIP'S SHARE OF THE DEVELOPMENT EASEMENT FOR FARMLAND PRESERVATION FOR BLOCK 7, LOT 6, APPROPRIATING \$122,500.00 THEREFOR FROM THE OPEN SPACE TRUST FUND** – Introduction and Adoption on First Reading

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

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair, second the motion and carried to adopt on first Reading **ORDINANCE NO. 17-06-2013 AMENDING ORDINANCE NO. 17-14-2012 PROVIDING FOR THE APPROPRIATION FOR THE COST OF THE ACQUISITION OF THE TOWNSHIP'S SHARE OF THE DEVELOPMENT EASEMENT FOR FARMLAND PRESERVATION FOR BLOCK 7, LOT 6, APPROPRIATING \$122,500.00 THEREFOR FROM THE OPEN SPACE TRUST FUND.**

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion carried to adopt the foregoing Resolution.

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

**Consideration of final adoption at a public hearing is scheduled for Thursday, April 4, 2013 at a meeting beginning at 7:00 P.M. at the municipal building.**

**ORDINANCE**

**ORDINANCE NO. 17-07-2013 AMENDING ORDINANCE NO. 17-07-2012 FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS EMPLOYEES OF THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY** – Introduction and Adoption on First Reading

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

Mayor Lubitz noted that he would like to separate the Mayor's amendment to be approved in a separate ordinance at the next township meeting.

Committeeman Dodds wanted to clarify why this was recommended. He stated that the Committee needs to have another member present in order to second the motion.

This ordinance will consist of an amendment to the “Public Works Department” General Municipal Worker. Committeeman Dodds suggested adding after the figures under “General Municipal Worker” that it should state “per hour” in the ordinance.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt on first Reading **ORDINANCE NO. 17-07-2013 AMENDING ORDINANCE NO. 17-07-2012 FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS EMPLOYEES OF THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY.**

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

**Consideration of final adoption at a public hearing is scheduled for Thursday, April 4, 2013 at a meeting beginning at 7:00 P.M. at the municipal building.**

**RESOLUTIONS**

**Resolution No. 2013-22 - Authorizing Payment to HLT**

The Committee Members noted that this resolution will be postponed until the next township meeting, as there is not enough members this evening to second the motion. Committeeman Dodds noted that he would need to exclude himself since he is a board member of the Hunterdon Land Trust.

**Resolution No. 2013-23 - Authorizing Rutgers Coop Ext. as Agent for Union Road Swale Project**

Committeeman Dodds briefly reviewed the project and answered questions for Emergency Management Coordinator Jack MacConnell.

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 – 23**

**A RESOLUTION AUTHORIZING THE TOWNSHIP OF KINGWOOD TO EXECUTE A  
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION LAND USE  
REGULATION PROGRAM APPLICATION**

**WHEREAS**, Kingwood Township joined with the New Jersey Water Supply Authority (hereafter, NJWSA) as a partner in the Lockatong and Wickecheoke Creek Watersheds Remediation Program (hereafter, PROGRAM) in order to help to decrease stormwater flows and associated contaminants in the Lockatong and Wickecheoke Creek Watersheds; and

**WHEREAS**, the PROGRAM involves, in part, a monitoring station that was placed on site in order to collect samples and data for the existing flow to the headwall; and

**WHEREAS**, as another step in the PROGRAM, it is proposed that a broad swale be constructed along Union Road in the Township in order to provide water quality treatment for runoff from Kingwood Park, which runoff will be monitored for changes in the runoff quantity and quality, to measure the effectiveness of this type of Best Management Practice (BMP); and

**WHEREAS**, in order to accomplish the above steps, the Township needs to provide an executed New Jersey Department Of Environmental Protection (NJDEP) Land Use Regulation Program (LURP) application form as the project owner, which will authorize Rutgers Cooperative Extension to act as the agent for the municipality by serving as the project's point of contact with NJDEP and receiving all correspondence from the NJDEP (that will also be copied to the Township) and otherwise acting on the Township's behalf; and

**WHEREAS**, it is in the best interests of the Township of Kingwood to execute the NJDEP LURP application and authorize Rutgers Cooperative Extension to act as the agent for the municipality in connection with the Lockatong and Wickecheoke Creek Watersheds Remediation Program.

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

1. The Township of Kingwood hereby authorizes execution of the NJDEP LURP application and authorizes Rutgers Cooperative Extension to act as the agent for the municipality in connection with the Lockatong and Wickecheoke Creek Watersheds Remediation Program.
2. The Mayor and Clerk and/or Chief Financial Officer as well as all other necessary officers or officials of this Township are authorized to sign the NJDEP LURP application in order to authorize Rutgers Cooperative Extension to act as the agent for the municipality in connection with the Lockatong and Wickecheoke Creek Watersheds Remediation Program, as well as any and all other documents necessary for the transactions contemplated by the Agreement as to the PROGRAM.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

**Resolution No. 2013-24 - Supporting State Open Space Funding**

Committeeman Richard Dodds briefly explained that this letter states the township is in support of continuous funding and will continue to find additional funds for open space purchases. He noted that this is to continue to do the projects, and to bring funds back to the township.

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 – 24**

**SUPPORTING SUSTAINABLE STATE FUNDING FOR PRESERVATION  
AND STEWARDSHIP OF OPEN SPACE, PARKS, FARMLAND AND  
HISTORIC SITES IN NEW JERSEY**

**WHEREAS**, New Jersey has a long and successful history of preserving open space, parks, farmland and historic sites; and

**WHEREAS**, the Green Acres Program has helped to preserve over 650,000 acres of land and supported more than 1,100 park development projects over the past 50 years; the State Agricultural Development Committee has preserved 200,000 acres of farmland over the past 30 years; and the Historic Trust has preserved 477 historic sites over the past 45 years; and

**WHEREAS**, all remaining funds for these programs under the Green Acres, Water Supply and Floodplain Protection, Farmland and Historic Preservation Bond Act of 2009 have been fully allocated at the end of 2012; and

**WHEREAS**, Kingwood Township has been a direct beneficiary of, and partner to, these critical state preservation programs; and

**WHEREAS**, substantial unmet needs remain for additional land and water protection, park development and farmland and historic preservation, for the health and welfare of our communities and residents; and

WHEREAS, it is imperative that a long-term, dedicated source of funding be established in order to:

- sustain open space, farmland and historic preservation programs beyond the 2009 Bond Act
- improve and ensure proper stewardship of parks, preserved lands and historic sites
- provide equitable access to quality parks and recreation in urban, suburban and rural areas
- match and leverage local, county and private funds for these purposes
- protect drinking water supplies, water quality and alleviate costly damages
- preserve fish and wildlife habitat and provide public access for hunting and fishing
- revitalize cities and towns
- protect our quality of life and economic prosperity.

NOW, THEREFORE, BE IT RESOLVED on this 7<sup>th</sup> day of March, 2013 by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that:

1. Kingwood Township supports establishment of a long-term, dedicated source of state funding for these purposes.
2. A certified copy of this Resolution be served upon Governor Chris Christie, Senator Michael J. Dougherty, Assemblyman John DiMaio, Assemblyman Erik C. Peterson, Hunterdon County Board of Chosen Freeholders, NJ Keep It Green and the New Jersey State League of Municipalities.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

**Resolution No. 2013-25 - 2013 DPW Salaries**

Mayor Lubitz explained the resolution.

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 - 25**

**PUBLIC WORKS DEPARTMENT SALARIES FOR 2013**

**WHEREAS**, Ordinance No. 17-07-2012 contains the Salary Range for the Public Works Employees;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the following salaries are established for the year 2013:

Michael Ewing	\$ 30.73 per hour
Walter Cotier	\$ 33.89 per hour
Ryan Osborne	\$ 31.96 per hour
John Kertesz	\$ 30.73 per hour
Seasonal Part-Time	\$ 20.00 per hour

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

**Resolution No. 2013-26 - Recycling Tonnage Grant**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 - 26**

**RECYCLING TONNAGE GRANT**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for the 2012 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of the Kingwood Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood that the Township of Kingwood hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Lynn Porter to ensure that the said Application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

**Resolution No. 2013-28 - End Waiver of Construction Permit Fees**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 – 28**

**END WAIVER OF CONSTRUCTION PERMIT FEES**

**WHEREAS**, the Kingwood Township Committee has previously adopted Resolution No. 2012-101 that authorized the Construction Official to waive construction permit fees for repairs to damages resulting from Hurricane Sandy and the Nor'easter Storm, which occurred from October 29<sup>th</sup> through November 9, 2012;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that the waivers for construction permit fees will end effective April 1, 2013.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

Mayor Lubitz briefly explained that after Hurricane Sandy, the township waved fees for all those permits pertaining to anyone who had damage that needed repairs from the storm. He noted that this resolution will end this waiver.

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

**NEW BUSINESS**

Receipt of Proposal for Information Technology Services

The Committee Members reviewed a proposal from Hunterdon Tech Support, LLC. Committeeman Dodds stated that he feels that it would be a good idea to interview this individual, but feels that having only one proposal is not wise and suggested that the township seek additional proposals before making any decisions. There will be an interview scheduled with the individual who submitted the proposal from Hunterdon Tech Support, LLC.

Application for Raffles Licenses:

Big Brothers Big Sisters of Hunterdon Somerset & Warren

The Committee Members reviewed raffle license application #2013-01 for a raffle license for the Big Brothers Big Sisters of Hunterdon, Somerset and Warren Counties for an on premise prize raffle to be conducted on May 7, 2013.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to approve Raffle License No. 2013-01 for an on premise prize raffle for the Big Brothers Big Sisters of Hunterdon, Somerset & Warren to be conducted on May 7, 2013 from 4:30pm to 8:00pm at the Frenchtown Lanes, Frenchtown, NJ.

**Roll Call Vote:**

<b>AYE</b>	<b>- Dodds, Lubitz</b>
<b>NAY</b>	<b>- None</b>
<b>ABSTAIN</b>	<b>- None</b>
<b>ABSENT</b>	<b>- Haywood</b>

Woman’s Club of Flemington

The Committee Members reviewed raffle license application #2013-02 for an off premise raffle license for the Woman’s Club of Flemington, Inc. to be conducted on October 25, 2013.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to approve Raffle License No. 2013-02 for an off premise raffle license for the Woman’s Club of Flemington, Inc. to be conducted on October 25, 2013 at 2:00pm at Razberry’s Banquet Facility, Frenchtown, NJ.

**Roll Call Vote:**

<b>AYE</b>	<b>- Dodds, Lubitz</b>
<b>NAY</b>	<b>- None</b>
<b>ABSTAIN</b>	<b>- None</b>
<b>ABSENT</b>	<b>- Haywood</b>

Sample Ordinances Regarding NJSA 54:5-12 Fire Insurance Claims

Mayor Lubitz explained that the State Legislation permits townships to adopt ordinances that require the township to be reimbursed for claims on properties on which the township has a tax lien, and if the claim payment is in excess of \$2,500.

**ORDINANCE**

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

**ORDINANCE NO. 17-08-2013 AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY REGARDING FIRE INSURANCE CLAIMS** – Introduction and Adoption on First Reading

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt on first Reading **ORDINANCE NO. 17-08-2013 AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY REGARDING FIRE INSURANCE CLAIMS.**

Mayor Lubitz thanked Mr. Ronald Hartpence for this suggestion.



Review Proposed Agreement with NJDEP for Recreational Trails Program Grant

The Committee Members reviewed the proposed agreement with the NJDEP for the Recreational Trails Program Grant. Committeeman Richard Dodds briefly reviewed assurances if the township wishes to accept the grant. C.F.O. Diane Laudenbach noted that these funds cannot be spent until the budget is adopted in May.

**MINUTES**

February 7, 2013 Regular Meeting

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the minutes of the February 7, 2013 Regular Meeting for the Township Committee with the following corrections:

Corrections:

Page – 2013-37 Under Hunterdon County 300<sup>th</sup> Anniversary, Mayor Lubitz noted that Marcia Karrow’s name was spelled incorrectly throughout the paragraph. The correction should be changed from “Marsha to Marcia”.

Page – 2013-37 Under Hunterdon County 300<sup>th</sup> Anniversary, Mayor Lubitz noted that line 14 states that the County Honorary Committee asked, Historian Sal DeSapio to be the township’s official liaison for the 300<sup>th</sup> Anniversary Celebration, which is incorrect. Correction: Should state – Mayor Lubitz suggested and asked, Historian Sal DeSapio to be the township’s official liaison for the 300<sup>th</sup> Anniversary Celebration.

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

February 7, 2013 Executive Session

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the minutes of the February 7, 2013 Executive Session for the Township Committee.

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

**EXECUTIVE SESSION – RESOLUTION NO. 2013 - 27**

The following Resolution was introduced to enter into closed session at approximately 8:30P.M.:

**RESOLUTION NO. 2013 – 27**

**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.

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

**Personnel – Township Handbook and Policies and Procedures Manual**

- 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. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

**RETURN TO REGULAR SESSION**

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to return to regular session at 8:52P.M. **All** voted **Aye** on **Roll Call Vote**.

**Motion to Authorize C.F.O/Tax Collector to Advertise for Financial Assistant**

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to authorize C.F.O./Tax Collector Diane Laudenbach to advertise for a financial assistant.

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

**ADJOURNMENT**

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair second the motion and carried to adjourn the meeting at 8:54P.M. **All** voted **Aye** on **Roll Call Vote**.

**Respectfully Submitted,**

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