

KINGWOOD TOWNSHIP COMMITTEE

JUNE 6, 2013 – 7:00PM

Call to Order

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.

Roll Call

Correspondence

Letter from Assemblyman E Peterson re: State Funding Resource Resolution
Letter from River-To-Sea re: Annual Relay Race
Letter from NJDOT re: Municipal Aid Program
Copies of Resolutions from Raritan Twp re: Opposing Jersey Central Power & Light Co Petition for a Rate Increase – **Resolution No. 2013-72**, and Supporting Legislation Strengthening Abandoned Property Enforcement
E-mail & Photos from residents re: 202 Heath Rd Drainage Problem
Letter from resident re: Park & Rec Member Complaint
E-mail from resident re: DPW
Letter from Mount Amwell Project, Inc. re: Cemetery at Bl 17 L 4

Public Comment – Privilege of the Floor

Bills and Claims

Reports

Emergency Management Coordinator
Finance Department:
Receipts & Disbursement Reports March 2013 & April 2013
Tax Collector's Reports March 2013 & April 2013

June 6, 2013 Township Committee Agenda Continued

Reports Continued

Construction Report of May 2013
Municipal Court Report of April 2013
Dog Licensing Report
NJSP Report
Township Engineer's Report
KT First Aid & Rescue Squad, Inc. Financial Statements for 2012
DeRewal Superfund Cleanup Site

Future Meetings & Activities

June 8 - Senior Citizen Picnic at Kingwood Park beginning at 1:00PM
June 8 - Recycling at Township Garage from 9:00am-12:00noon
June 8 - Clean Up Program at Township Garage from 9:00am-12:00noon – permit required
June 15 - Fishing Derby at Kingwood Pond on Union Rd from 9:00am-12:00noon
June 21-23 - Rummage Sale at Horseshoe Bend Park from 8:00am-2:00pm to benefit Frenchtown & Kingwood Green Teams
July 1 - Regular Monthly Mtg of Township Committee at Municipal Building beginning at 7:00pm

Ordinances

Ordinance No. 17-13-2013 Amending Fees For Kingwood Township Parks Set Forth In Article III Of Chapter 34, "Recreation Commission And Parks And Recreation Committee" Of The Code Of The Township – Public Hearing and Final Adoption

Ordinance No. 17-14-2013 To Amend And Supplement The Land Use Regulations Of The Township, Specifically "Streets And Sidewalks, Chapter 112" And "Zoning, Chapter 132" Of The General Ordinances Pertaining To Driveways – Introduction and Adoption on First Reading

Ordinance No. 17-15-2013 – To Amend And Supplement The Land Use Regulations Of The Township, Specifically "Zoning, Chapter 132" Of The General Ordinances Pertaining To Private Airstrips – Introduction and Adoption on First Reading

Ordinance No. 17-16-2013 – Amending Chapter 15, "Environmental Commission" Of The Code Of The Township – Introduction and Adoption on First Reading

Resolutions

Resolution No. 2013-52 - FY 2013 Clean Communities Grant
Resolution No. 2013-53 - FY 2012 Clean Communities Cancellation of Grant Balance

June 6, 2013 Township Committee Agenda Continued

Resolutions Continued

- Resolution No. 2013-54** - Cancellation of Real Estate Taxes Bl 23 L 2.01
- Resolution No. 2013-55** - Refund of Taxes Bl 33 L 1.07
- Resolution No. 2013-56** - Refund of Duplicate Payment Bl 39 L 2.02
- Resolution No. 2013-57** - IT Services with DVRHS
- Resolution No. 2013-58** - Professional Services Agreement for 2013
- Resolution No. 2013-59** - Renewal of ABC Licenses for 2013-2014
- Resolution No. 2013-60** - September 21, 2013 Fireworks Display
- Resolution No. 2013-61** - Garden State Saluki Club Reimbursement of Sec Deposit
- Resolution No. 2013-62** - Somerset Hills Kennel Club Reimbursement of Sec Deposit
- Resolution No. 2013-63** - Eagle Scout Recognition, David Colville
- Resolution No. 2013-64** - Eagle Scout Recognition, Marcus Oertle
- Resolution No. 2013-65** - Approve Form of Conservation Easement, Frenchtown III Solar, LLC
- Resolution No. 2013-66** - Applications for Farmland Preservation Bl 2 L 5 & Bl 5 L 3
- Resolution No. 2013-67** - KT Vol Fire Co Coin Toss Permit Application
- Resolution No. 2013-68** - KT Vol Fire Co Reduction of Permit Fees
- Resolution No. 2013-71** - Dedication by Rider Sustainable Trust Fund

New Business

- Raffle License Application – Our Lady of Victories
- Raffle License Application – Unity Spiritual Center
- Raffle License Application – Wildcat Wrestling Club
- Authorize Mayor to Execute Township Auditor’s LOSAP Engagement Letter
- Authorize Mayor to Execute Newtech Recycling Inc. Quote Acceptance
- Proposals for Horseshoe Bend Park Natural Resource Inventory & **Resolution No. 2013-69** for Professional Services
- Resolution No. 2013-73** – Approval of Items of Revenue and Appropriation (N.J.S.A. 40A:4-87) Fiscal Year 2013 National Park Service Grant
- Discuss Repairs to Ramps and Walkways at Municipal Building
- Discuss Notification/Signage for Hearing Impaired Equipment at Municipal Building
- Discuss Insurance for Vendors

Old Business

- Discuss Recycling and Clean Communities Vouchers
- Discuss Time Sheets
- Vote to Accept Clean Up Day Proposal
- Discuss Fees for Site Plan Escrow
- Discuss Signs for Horseshoe Bend Road
- Petty Cash Fund
- DPW Generator Installation -Approval to wire well hook-up to DPW Garage
- Proposal to Cover Recycling Dumpsters

June 6, 2013 Township Committee Agenda Continued

Minutes

April 4, 2013 Executive Session
May 2, 2013 Regular Meeting
May 2, 2013 Executive Session

Executive Session – Resolution No. 2013-70

Contract Negotiations – Habitat for Humanity Bl 19 L 5, United Reformed Church
Bl 12 L 25, Suffolk Wireless Cell Tower Lease
Litigation - Chris' Citgo Bl 9 L 2.01
Possible Litigation – Tumble Partnership LLP Bl 32 L 10 & 11.02
April 4, 2013 Executive Session
May 2, 2013 Executive Session
Sending Districts
Complaint Regarding Park and Recreation Member
Unknown Property

Return to Regular Session

Unknown Ownership of Properties

Minutes

April 4, 2013 Executive Session
May 2, 2013 Executive Session

Adjournment

PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES

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June 6, 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 Deputy Mayor Diana Haywood, Committeeman Richard Dodds, Attorney Judith Kopen, C.F.O. Diane Laudenbach, Deputy Clerk Cynthia Keller and Clerk Mary E. MacConnell. 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.

CORRESPONDENCE

Letter from Assemblyman E Peterson re: State Funding Resource Resolution

Mayor Lubitz briefly reviewed.

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

Mayor Lubitz briefly reviewed. He stated that this race runs from this area near the Delaware River to the ocean in New Jersey.

Letter from NJDOT re: Municipal Aid Program

Mayor Lubitz noted that the township submitted two applications for grants to the State of New Jersey Department of Transportation regarding the unfinished portion to Spring Hill Road, and an application for a grant to repair the Horseshoe Bend Road drainage, and work to be done to widen and surface a portion of Horseshoe Bend Road, which connects with Route 12. Mayor Lubitz stated that the letter explains that Kingwood Township did not receive a grant.

He explained that this area that needs attention is in the Frenchtown Borough portion of the road, and a majority of the residents are from Kingwood Township who live on Horseshoe Bend Road, but also use the assess through Frenchtown Borough and down to Route 12. He explained that Frenchtown Borough did receive a grant to make the repairs on Horseshoe Bend Road in their portion of the road.

Resolution from Raritan Township re: Opposing Jersey Central Power & Light Co. Petition for a Rate Increase

Committeeman Dodds commented on JCP&L and feels that the township Department of Public Works did most of the clearing of the trees after Super Storm Sandy. He agrees with this resolution opposing Jersey Central Power & Light Co. petition for rate increase, and feels the township should adopt a resolution in support. The Committee Members agreed.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 72

**OPPOSING JERSEY CENTRAL POWER AND LIGHT
COMPANY’S PETITION FOR A RATE INCREASE**

WHEREAS, Jersey Central Power & Light Company is a public utility subject to the jurisdiction of the New Jersey Board of Public Utilities and bound by the BPU’s rules, regulations and policies, as well as all applicable requirements of the New Jersey Administrative Code, which specifically addresses electric utilities, plants, facilities and services; and

WHEREAS, JCP&L filed a petition with the BPU for a rate increase; and

WHEREAS, because of the burden the loss of electricity caused the residents of Kingwood Township during Hurricane Irene, Tropical Storm Lee, the snowstorm of October 31, 2011 and Superstorm Sandy; and

WHEREAS, due to the extreme burden to the Township’s DPW to clear the roads of a tremendous amount of brush and trees, which is due mainly to the failure of JCP&L to properly maintain their right of way throughout the Township, the Township opposes any rate increase to JCP&L and calls upon the Division of Rate Counsel to oppose the rate increase on behalf of the Township residents; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey opposes any rate increase request by JCP&L and that the Division of Rate Counsel oppose the rate increase on behalf of the Township residents; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to BPU President Robert Hanna, BPU Commissioners, Division of Rate Counsel, Legislators representing this Legislative District, the New Jersey State League of Municipalities and all Hunterdon County Municipalities.

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

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

Resolution from Raritan Township Supporting Legislation Strengthening Abandoned Property Enforcement

The Committee Members briefly reviewed the resolution. Deputy Mayor Haywood stated that they are trying to make the property owner responsible.

E-mail & Photos from residents re: 202 Heath Rd Drainage Problem

Pat and Annette O'Neal – 202 Heath Road Commented on the drainage problem they have been having on Heath Road. They explained that they have been in Kingwood two years and have had a drainage problem in the front of their home ever since. They came up and spoke to the Committee Members explaining that their builder helped by installing some larger pipe along the front near the driveway, but that there is still a lot of water in the front of their property. They feel that it is a safety issue. They explained that they spoke with the townships engineer and he was very helpful, however, the builder hasn't kept up his escrow account, therefore, the engineer is no longer involved. They described their neighbor's driveway at #206 Heath Road and noticed that they have the same pipe in front, but that their apron at the end of their driveway is more elevated. They explained that when the road is completely finished with blacktop it will then be even higher than their apron of their driveway and feel this will make it even worse. Jack MacConnell who was present commented on a plan that went through the Planning Board for that road. Mayor Lubitz requested that Diane Laudenbach, Planning Board Secretary send the plans to the townships Engineer Tom Decker for review, and then forward them to the Planning Board to discuss. The O'Neal's thanked the Township Committee for their support.

Letter from resident re: Park & Rec Member Complaint

The Township Committee requested that this be discussed in executive session.

E-mail from resident re: DPW

Mayor Lubitz read aloud a letter received from a township resident. He noted that it is really nice to receive a letter like this and feels that people are not always aware of the small road crew the township has and all that they do. Committeeman Dodds noted that it is a 100% working road crew, and that the supervisor also works on the roads with the other employees.

Letter from Mount Amwell Project, Inc. re: Cemetery at Bl 17 L 4

Mayor Lubitz briefly reviewed the letter from Mount Amwell Project Inc. Attorney Kopen noted that the township has no authority to transfer ownership of property to the township since it is listed as an unknown owner. There was a discussion of what would happen if the township decided to restore the cemetery. Attorney Kopen noted if there is an owner, there could be problems. Committeeman Dodds suggested that the township get a hold of the Historian and perhaps research for an owner, which would consist of an extensive deed search.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Barbara Slabinsky – Oak Grove Road Commented on the devastation they all suffered with no power after Super Storm Sandy and all the trees that came down on their property. She explained that she along with her neighbors thought that the township would be picking up all the trees and limbs that were left in the front of everyone’s yards. She stated that she ended up paying to have the trees and limbs removed from her property. She also commented on the county and how they were not very nice when she spoke to them. She commented on other townships in the county that picked up the branches and brush along the frontage of properties. She suggested that the township designate an area where everyone could bring their branches and debris after storms. Emergency Management Coordinator commented on the problems that everyone all went through and why the township did not have a designated area. Mayor Lubitz suggested in the future that perhaps the township can think about applying to FEMA for money to have a company be hired to come in and take the debris. He also suggested that at the township’s next Emergency Management meeting the members discuss bringing in a contractor following any future storms. Mrs. Slabinsky also asked about a sign that was requested to be put up on Oak Grove Road that would say “Children at Play”. The township will contact the Department of Public Works regarding the sign.

BILLS AND CLAIMS

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve and pay all bills and claims in the amount of **\$644,743.40** that are in order and attached as Bill List for June 2013.

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

REPORTS

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

Emergency Management Coordinator

Emergency Management Coordinator, Jack MacConnell was present and reported that the township will soon be reimbursed from FEMA for Super Storm Sandy. Mayor Lubitz noted for the public present, money which is taken in during the current year cannot be utilized until the following year. Jack MacConnell reported on the Ukarish property, and asked about the electric services at the old house on the property. He suggested that a letter be written to JCP&L Company requesting that the meter be removed and the service stopped. He stated that the exercise that was scheduled this weekend with the first responders for a practice drill at the Horseshoe Bend Park has been rescheduled until Saturday, June 22, 2013. Mayor Lubitz suggested that at the next Emergency Management Meeting that it be discussed to look into a contractor for removal of trees and also a designated area for a short term service for the residents to take their branches after a storm, similar to Super Storm Sandy. The Committee Members thanked Mr. MacConnell for his report.

Finance Department:

Receipts & Disbursement Reports March 2013 & April 2013

Tax Collector's Reports March 2013 & April 2013

Construction Report of May 2013

Municipal Court Report of April 2013

Dog Licensing Report

NJSP Report

Township Engineer's Report

Mayor Lubitz noted that he received a message from Delaware Township. He explained how each year a different municipality goes out for bids for road materials. He stated that Delaware Township will be the municipality going out for bids this year, and it has been authorized for their engineer to obtain the bids.

KT First Aid & Rescue Squad, Inc. Financial Statements for 2012

DeRewal Superfund Cleanup Site

The Committee Members discussed how the State has been putting in some additional tests for the wells on the property. Mayor Lubitz gave a brief historic review of the superfund site on Daniel Bray Hwy.

FUTURE MEETINGS AND ACTIVITIES

Mayor Lubitz reviewed as per the Agenda.

ORDINANCES

ORDINANCE NO. 17-13-2013 AN ORDINANCE AMENDING FEES FOR KINGWOOD TOWNSHIP PARKS SET FORTH IN ARTICLE III OF CHAPTER 34, "RECREATION COMMISSION AND PARKS AND RECREATION COMMITTEE" OF THE CODE OF THE TOWNSHIP OF KINGWOOD VOL. 17, PG. 17-13 - Public Hearing and Final Adoption

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

This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on the 2nd day of May, 2013. The Ordinance was published in the Hunterdon County Democrat on May 9, 2013 and has been posted in the Kingwood Township Municipal Building on May 3rd, 2013. Copies of the Ordinance have been available for inspection by the public since May 3rd, 2013.

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to open the public hearing.

Comments: Mayor Lubitz briefly reviewed the ordinance and the purpose of the amendment. There were no comments from the public.

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

ORDINANCE NO. 17 – 13 - 2013

AN ORDINANCE AMENDING FEES FOR KINGWOOD TOWNSHIP PARKS SET FORTH IN ARTICLE III OF CHAPTER 34, "RECREATION COMMISSION AND PARKS AND RECREATION COMMITTEE" 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 Section 34-8 (B), Subsections 2. and 3. in their entirety and replacing those sections with the following:**

B. Horseshoe Bend Park

- 2. Field usage and the use of the Morton Building including the use of the bathroom facility at Horseshoe Bend Park for Non-Residents or Non-Township organizations shall be \$150.00 per day.

The remaining subsections of Section 34-8 (B) shall be renumbered accordingly.

II) 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.

III) 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, seconded by Mrs. Haywood and carried to adopt the foregoing Ordinance.

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

ORDINANCE

ORDINANCE NO. 17-14-2013 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 “STREETS AND SIDEWALKS, CHAPTER 112” AND “ZONING, CHAPTER 132” OF THE GENERAL ORDINANCES OF THE TOWNSHIP PERTAINING TO DRIVEWAYS – Introduction and Adoption on First Reading

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

Committeeman Dodds briefly reviewed the purpose of the ordinance. Attorney Kopen noted that there were a few minor amendments and reviewed them to the Committee Members.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to adopt on first reading with amendments, **ORDINANCE NO. 17-14-2013 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 “STREETS AND SIDEWALKS, CHAPTER 112” AND “ZONING, CHAPTER 132” OF THE GENERAL ORDINANCES OF THE TOWNSHIP PERTAINING TO DRIVEWAYS.**

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

Consideration of final adoption at a public hearing is scheduled for Monday July 1, 2013 at a meeting beginning at 7:00 P.M. at the municipal building.

ORDINANCE

ORDINANCE NO. 17-15-2013 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 PERTAINING TO PRIVATE AIRSTRIPS –

Introduction and Adoption on First Reading

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

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to adopt on first reading **ORDINANCE NO. 17-15-2013 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 PERTAINING TO PRIVATE AIRSTRIPS.**

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

Consideration of final adoption at a public hearing is scheduled for Monday July 1, 2013 at a meeting beginning at 7:00 P.M. at the municipal building.

ORDINANCE

**ORDINANCE NO. 17-16-2013 AN ORDINANCE AMENDING CHAPTER 15,
“ENVIRONMENTAL COMMISSION” OF THE CODE OF THE TOWNSHIP OF
KINGWOOD**– Introduction and Adoption on First Reading

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

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to adopt on first reading
**ORDINANCE NO. 17-16-2013 AN ORDINANCE AMENDING CHAPTER 15,
“ENVIRONMENTAL COMMISSION” OF THE CODE OF THE TOWNSHIP OF
KINGWOOD.**

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

Consideration of final adoption at a public hearing is scheduled for Monday July 1, 2013 at a meeting beginning at 7:00 P.M. at the municipal building.

RESOLUTIONS

Resolution No. 2013-52 - FY 2013 Clean Communities Grant

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 - 52

**APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:4-87)**

FISCAL YEAR 2013 CLEAN COMMUNITIES 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 2013 in the sum of \$16,116.99, which item is now available as a revenue from the State of New Jersey, as a reimbursement to Kingwood Township in the amount of \$16,116.99.

BE IT FURTHER RESOLVED that the like sum of \$16,116.99 is hereby appropriated under the caption 2013 Clean Communities Grant; and

BE IF FURTHER RESOLVED that the above is a result of a grant of \$16,116.99 from the State of New Jersey.

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

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

Resolution No. 2013-53 - FY 2012 Clean Communities Cancellation of Grant Balance

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 53

CANCELLATION OF GRANT BALANCES

WHEREAS, the following grant balances exist on the balance sheet of the Township of Kingwood at year end for the:

2012 Clean Communities Grant Receivable -	\$ 290.88
2012 Clean Communities Grant Appropriated Reserve -	\$ 290.88

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 cancel the above balances.

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

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Roll Call Vote:

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

Resolution No. 2013-54 - Cancellation of Real Estate Taxes Bl 23 L 2.01

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 54

CANCELLATION OF REAL ESTATE TAXES

WHEREAS, the owner of Block 23, Lot 2.01 was granted a service connected total disability from the Department of Veterans Affairs on January 15, 2013.

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 Tax Collector be relieved of the duty of collecting the following:

February 2013 - \$1680.31
May 2013 - \$1680.31

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

Roll Call Vote:

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

Resolution No. 2013-55 - Refund of Taxes Bl 33 L 1.07

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 55

REFUND OF TAXES

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WHEREAS, as a result of a duplicate payment received for Block 33, Lot 1.07, there now exists an overpayment on the first quarter of 2013 in the amount of \$2194.10; 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 \$2194.10 to CitiMortgage, Inc., PO Box 1001, Hagerstown, MD, 21749-9601.

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

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

Resolution No. 2013-56 - Refund of Duplicate Payment Bl 39 L 2.02

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 56

REFUND OF DUPLICATE PAYMENT

WHEREAS, CitiMortgage has made a duplicate payment for the first quarter of 2013 in the amount of \$1792.11 on Block 39, Lot 2.02; and

WHEREAS, the Tax Collector has been provided with the proof of the duplicate payment made by CitiMortgage in the amount of \$1792.11.

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 to CitiMortgage, Inc., PO Box 23689, Rochester, NY, 14692 in the amount of \$1792.11.

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

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

Resolution No. 2013-57 - IT Services with DVRHS

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 57

**TECHNOLOGY SERVICES WITH DELAWARE VALLEY
REGIONAL HIGH SCHOOL**

WHEREAS, Kingwood Township has received a proposal from Delaware Valley Regional High School Board Of Education (DVRHS) to provide subcontracted Technology Services; and

WHEREAS, DVRHS and Kingwood Township desire to enter into a joint agreement wherein DVRHS will provide the said Technology Services; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes public entities to enter into a contract with each other to subcontract any service which one of the parties to the Agreement is empowered to render within its own jurisdiction, including services incidental to the primary purposes of any of the participating entities; and

WHEREAS, DVRHS and Kingwood Township are by definition local units under the said law, and DVRHS is empowered by law to provide Technology Services; and

WHEREAS, the provision of Technology Services by DVRHS is economically advantageous to Kingwood Township;

NOW, THEREFORE, BE IT RESOLVED that DVRHS and Kingwood Township hereby agree to enter into the 2013/2014 time and material shared services arrangement for the provision of Technology Services in accordance with N.J.S.A. 40A:65-1 et seq. at the following hourly rates:

IT Director	\$80.00
Network Specialist	\$70.00
Technician Level 2	\$45.00
Technician Level 1	\$40.00

Materials will be reimbursable at cost.

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

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

Resolution No. 2013-58 - Professional Services Agreement for 2013

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 - 58

RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR TOWNSHIP PROFESSIONALS

WHEREAS, the Township of Kingwood has a need to acquire professional services of Township Professionals as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year(s); 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 the submitted proposal; and

WHEREAS, the Township professional set forth in Paragraph No. 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 each 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 that the Township Committee of the Township of Kingwood authorizes the Mayor and Clerk to enter into contracts with the Township Professional as described below:

Professional	Position	Term of Contract
David Banisch, Banisch Assoc Inc	Township Planner	One year

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

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

Roll Call Vote:

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

Resolution No. 2013-59 - Renewal of ABC Licenses for 2013-2014

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 59

LIQUOR LICENSE APPLICATION RENEWALS

WHEREAS, applications have been made to the Kingwood Township Committee for the renewal of Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses for the 2013-2014 licensing period; and

WHEREAS, the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, at a meeting assembled, has reviewed all applications and the submitted application forms are complete in all respects, the applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations, and the issuing authority has reviewed the source of any additional financing obtained in the previous license term for use in the licensed business; and

WHEREAS, the submitted club application is complete in all respects, including submission of the club member list, the officers and directors of the club are qualified according to all statutory, regulatory and local government ABC laws and regulations, and the club maintains all records required by N.J.A.C. 13:2-8.8 and N.J.A.C. 13:2-8.12 and therefore are found to be in order;

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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the following Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses be hereby renewed for the 2013-2014 licensing period effective July 1, 2013:

1016-31-006-001 Kingwood Township Fire Company No. 1
 PO Box 99
 Baptistown, NJ 08803
Municipal Fee: \$50.00 State Fee: \$200.00
Club License

1016-33-001-003 Uncle Scotts Steakhouse LLC
 15 La Costa Drive
 Annandale, NJ 08801
Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Consumption License

1016-33-003-004 B D A Highland Company LLC
 343 County Road 519
 Stockton, NJ 08559
Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Consumption License

1016-33-005-004 Razberry's Banquets Inc.
 PO Box 167
 Baptistown, NJ 08803
Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Consumption License
SPECIAL CONDITION: That the doors on the west side of the building be closed from 10:00PM to 2:00AM while there is music, live or recorded, playing in the premises.

1016-44-002-006 Shreji Liquor Inc
 866 Route 12
 Frenchtown, NJ 08825
Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Distribution License

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

Roll Call Vote:

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

Resolution No. 2013-60 - September 21, 2013 Fireworks Display

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 - 60

SEPTEMBER 21, 2013 FIREWORKS DISPLAY

WHEREAS, the Kingwood Township Parks & Recreation Committee has scheduled "Kingwood Community Day" on September 21, 2013; and

WHEREAS, the Kingwood Township Parks & Recreation Committee plans various activities for the day and wishes to display fireworks for the community to help enjoy this day; and

WHEREAS, **Garden State Fireworks** has submitted a certificate of insurance with the Township named as additional insured; and

WHEREAS, the Kingwood Township Volunteer Fire Company No. 1, and the Kingwood Township First Aid & Rescue Squad will be standing by at the scene;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that approval is given for the fireworks display on September 21, 2013, rain date September 22, 2013, on the Kingwood Park property located at 200 Union Road, known as Block 19 Lot 8 in Kingwood Township, New Jersey.

BE IT FINALLY RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the Mayor and Clerk are hereby authorized to execute and enter into an agreement with Garden State Fireworks, Inc. and execute the application for a fireworks permit from the State of New Jersey.

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

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

Resolution No. 2013-61 - Garden State Saluki Club Reimbursement of Sec Deposit

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 61

REIMBURSEMENT FOR SECURITY DEPOSIT

WHEREAS, the Garden State Saluki Club of Baptistown, New Jersey rented the Morton Building facility at the Horseshoe Bend Park on Horseshoe Bend Road for a dog club event on Friday, May 3, 2013; and

WHEREAS, the Township of Kingwood requested a security deposit from the Garden State Saluki Club for the use of the facility for May 3, 2013 in the amount of \$300.00; and

WHEREAS, the Parks and Recreation Committee inspected the Morton Building and the conditions were found to be satisfactory.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to authorize the Chief Financial Officer of the Township of Kingwood to return the amount of \$300.00 security deposit to the Garden State Saluki Club of Baptistown, NJ.

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

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

Resolution No. 2013-62 - Somerset Hills Kennel Club Reimbursement of Sec Deposit

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 62

REIMBURSEMENT FOR SECURITY DEPOSIT

WHEREAS, the Somerset Hills Kennel Club of Stockton, New Jersey rented the Morton Building facility at the Horseshoe Bend Park on Horseshoe Bend Road for a dog club event on Sunday, May 19, 2013; and

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WHEREAS, the Township of Kingwood requested a security deposit from the Somerset Hills Kennel Club for the use of the facility for May 19, 2013 in the amount of \$300.00; and

WHEREAS, the Parks and Recreation Committee inspected the Morton Building and the conditions were found to be satisfactory.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to authorize the Chief Financial Officer of the Township of Kingwood to return the amount of \$300.00 security deposit to the Somerset Hills Kennel Club of Stockton, NJ.

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

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

Resolution No. 2013-63 - Eagle Scout Recognition, David Colville

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 63

EAGLE SCOUT RESOLUTION

WHEREAS, on June 15, 2013, Boy Scout David Colville, a member of Troop 251 will be honored at a special Court of Honor Ceremony to honor his achievement of Eagle Scout rank, Boy Scouts highest honor; and

WHEREAS, David Colville served in his troop in a variety of leadership roles, including serving as Troop Guide and Patrol Leader; and

WHEREAS, David Colville became a member of the Order of the Arrow, further demonstrating his commitment to continued participation in scouting and camping and perpetuating the ceremonies that impart a sense of community in scouting; and

WHEREAS, Davids’ major community service project was to install low voltage outdoor lighting for walkways and accents at Our Lady of Victories Church, which will serve parishioners for many years to come; and

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WHEREAS, David Colville attends Delaware Valley Regional High School, where he has maintained Distinguished Honors every marking period; and

WHEREAS, by his volunteer involvement in his church's food pantry program, preparing meals and sorting food, David demonstrated his commitment to scouting values throughout the other aspects of his life; and

WHEREAS, on June 15, 2013, a Court of Honor was convened for the purpose of bestowing upon David Colville the highest honor of Scouting, after which, and for the rest of his life, David will carry the title of **EAGLE SCOUT**; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that on behalf of the Township Committee and the residents of our community, we congratulate and honor with great pride, Eagle Scout David Colville.

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

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

Resolution No. 2013-64 - Eagle Scout Recognition, Marcus Oertle

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 64

WHEREAS, on June 15, 2013, Boy Scout Marcus Oertle, a member of Troop 251 will be honored at a special Court of Honor Ceremony to honor his achievement of Eagle Scout rank, Boy Scouts highest honor; and

WHEREAS, Marcus Oertle served in his troop in a variety of leadership roles, including serving as Quartermaster, Patrol Leader, Assistant Senior Patrol Leader and Senior Patrol Leader; and

WHEREAS, Marcus Oertle became a Brotherhood member of the Order of the Arrow National Honor Society, further demonstrating his commitment to continued participation in scouting and camping and perpetuating the ceremonies that impart a sense of community in scouting; and

WHEREAS, Marcus' major community service project was to build an information kiosk at Bull's Island Recreational Area, a part of Delaware and Raritan State Park, which will serve visitors for many years to come; and

WHEREAS, Marcus Oertle attended Delaware Valley Regional High School, where he has maintained Distinguished High Honors every marking period; and

WHEREAS, by his involvement in his high school's music program, including Marching Band, Jazz Band, Pit Band, Concert Band and Wind Ensemble, playing 4 different instruments, and by his involvement in his high school's athletics program, including a Varsity letter in track in freshman and sophomore years, Marcus demonstrated his commitment to scouting values throughout the other aspects of his life; and

WHEREAS, on June 15, 2013, a Court of Honor was convened for the purpose of bestowing upon Marcus Oertle the highest honor of Scouting, after which, and for the rest of his life, Marcus will carry the title of **EAGLE SCOUT**; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that on behalf of the Township Committee and the residents of our community, we congratulate and honor with great pride, Eagle Scout Marcus Oertle.

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

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

Resolution No. 2013-65 - Approve Form of Conservation Easement, Frenchtown II Solar, LLC

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 - 65

**A RESOLUTION AUTHORIZING THE TOWNSHIP OF KINGWOOD, TO EXECUTE
A CONSERVATION EASEMENT
WITH FRENCHTOWN III SOLAR, LLC**

WHEREAS, Frenchtown III Solar, LLC, (hereinafter, “the Developer”) is the owner of the tract or parcel or land shown on the Tax Map of the Township of Kingwood in Hunterdon County as Block 24, Lots 4 and 7 (the “Property”); and

WHEREAS, the Developer received the final site plan approval for the development of a photovoltaic electric generating system on the Property from the Kingwood Township Planning Board (the "Approving Board"), by its Memorializing Resolution of February 9, 2012, based on the following plats:

Plat entitled “Thebe Solar Park Amended Preliminary And Final Site Plans For Ground Mounted 12.00 MW (DC) Photovoltaic System Kingwood Township Block 24, Lots 4 & 7 (Tax Map Sheet 11) 60 Barbertown-Point Breeze Road & 18 Muddy Run Road Kingwood Township Hunterdon County, NJ, prepared by Richard S. Pelizzoni, P.E., N.J.P.L.S. of Whitman Company, consisting of 13 sheets, dated July 8, 2011 with the last revision date of December 29, 2011 (the “Site Plan Plat”); and

Plat entitled “Thebe Solar Kingwood Township, New Jersey,” prepared by Brian W. Bosenberg, N.J. Landscape Architect, of B.W. Bosenberg & Company, Inc., consisting of 9 sheets (the “Landscape Plat,” together with the Site Plan Plat, the “Final Site Plan”).

The foregoing approval is sometimes referred to below as the "Approval."

WHEREAS, the Developer and Township of Kingwood (hereinafter, “the Township”), are required by the Approval to enter into a form of Conservation Easement for the Property which shall be substantially in the form attached hereto; and

WHEREAS, Schedule B, the baseline documentation, is not yet completed, but the same shall be provided and approved by the Township Attorney and Engineer prior to the execution of the Agreement by the Township.

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 Conservation Easement, attached hereto as Exhibit A, with the Frenchtown III Solar, LLC.

- 2. The Mayor and Clerk and/or Chief Financial Officer of this Township are authorized to sign the Conservation Easement with the Frenchtown III Solar, LLC, attached hereto as Exhibit A, and to sign any and all other documents necessary for the transactions contemplated by the Conservation Easement, after final review and approval by the Township Attorney and Engineer of the Conservation Easement, including the required Schedule B baseline documentation.

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

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

Resolution No. 2013-66 - Applications for Farmland Preservation Bl 2 L 5 & Bl 5 L 3

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 66

APPROVAL OF APPLICATIONS FOR FARMLAND PRESERVATION FOR PROPERTIES LOCATED AT BLOCK 2 LOT 5 AND BL 5 L 3

WHEREAS, the Hunterdon County Agriculture Development Board informed Kingwood Township that it has received farmland preservation applications from landowners in Kingwood Township; and

WHEREAS, the State Agriculture Development Committee provides between sixty and eighty percent of the funds to acquire a development easement on a farm; and

WHEREAS, for the balance of the easement purchase funds, Hunterdon County will determine the portion to be paid by the County; and

WHEREAS, the Hunterdon County Agriculture Development Board requested confirmation from the Township that Kingwood Township approves of the farmland preservation applications within the Township;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that Kingwood Township approves of the below applications located within Kingwood Township:

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Gerald J Helmer Block 2 Lot 5

Donald and Jill Zander Block 5 Lot 3

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Hunterdon County Agriculture Development Board.

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

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

Resolution No. 2013-67 - KT Vol Fire Co Coin Toss Permit Application
RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 67

**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, June 22, 2013, and if necessary a rain date of Sunday, June 23, 2013.

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

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

Roll Call Vote:

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

Resolution No. 2013-68 - KT Vol Fire Co Reduction of Permit Fees

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 – 68

WAIVER OF PERMIT FEES

WHEREAS, the Uniform Construction Code permits the adoption of a Resolution to waive or reduce the fees for Construction Permits; and

WHEREAS, permits have been applied for and will be issued to the Kingwood Township Volunteer Fire Company and the Township has received a request for a waiver of the fees for the permits;

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 Construction Official be authorized to waive the fees for permits and any subsequent updates issued to the Kingwood Township Volunteer Fire Company for the following permits:

HVAC Replacement Permit (estimated)	\$240.00
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Roofing Replacement Permit	\$445.00
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It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to adopt the foregoing Resolution.

Roll Call Vote:

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

Resolution No. 2013-71 - Dedication by Rider Sustainable Trust Fund

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 - 71

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR A SUSTAINABLE KINGWOOD TRUST FUND PERMITTED BY NJSA 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue which is not subject to reasonable accurate estimates in advance; and

WHEREAS, NJSA 40A:5-29 provides for receipt of funds by the municipality to provide for the operating costs to administer this act; and

WHEREAS, NJSA 40A:5-29 provides the dedicated revenues anticipated from the **SUSTAINABLE KINGWOOD TRUST FUND** are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the **SUSTAINABLE KINGWOOD TRUST FUND NJSA 40A:5-29**.
2. The Clerk of the Township of Kingwood, County of Hunterdon and State of New Jersey is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

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

Raffle License Application – Our Lady of Victories

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It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve Raffle License Application number 2013-04 for Our Lady of Victories RC Church for an on premise 50/50 raffle to be conducted on June 23, 2013 from 1:00pm until 4:00pm at Our Lady of Victories RC Church on Route 519 in Baptistown, NJ.

Roll Call Vote:

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

Raffle License Application – Unity Spiritual Center

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve Raffle License Application number 2013-05 for the Unity Spiritual Center for an off premise 50/50 raffle to be conducted on July 26, 2013 from 6:00pm until 9:00pm at Razberry’s Banquet Center on Route 12 in Flemington, NJ.

Roll Call Vote:

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

Raffle License Application – Wildcat Wrestling Club

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve Raffle License Application number 2013-04 for Our Lady of Victories RC Church for an on premise 50/50 raffle to be conducted on June 23, 2013 from 1:00pm until 4:00pm at the Church on Route 519 in Frenchtown, NJ.

Roll Call Vote:

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

Authorize Mayor to Execute Township Auditor’s LOSAP Engagement Letter

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to authorize Mayor Lubitz to execute the Township Auditor’s LOSAP Engagement Letter.

Roll Call Vote:

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

Authorize Mayor to Execute Newtech Recycling Inc. Quote Acceptance

Recycling Coordinator Sandra McNicol was present at the meeting and explained her contact with DONJON. She noted that she is not sure if she can recommend to the township to accept the proposal from Newtech Recycling Inc. at this time. The Township Committee suggested that this be tabled until next month.

Proposals for Horseshoe Bend Park Natural Resource Inventory & **Resolution No. 2013-69** for Professional Services

Mayor Lubitz briefly reviewed the following proposals for the Horseshoe Bend Park Natural Resource Inventory:

Amy S. Green Environmental Consultants	-	\$8,000.00
Kratzer Environmental Services	-	\$2,500.00

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 - 69

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES OF KRATZER ENVIRONMENTAL SERVICES TO PERFORM A NATURAL RESOURCES INVENTORY FOR HORSESHOE BEND PARK

WHEREAS, the Township of Kingwood issued a request for proposals (RFP) to perform a natural resources inventory (NRI) in connection with its management plan for Horseshoe Bend Park located in the Township; and

WHEREAS, the scope of the NRI is described in the RFP; and

WHEREAS, the Township received a proposal to perform the NRI from Kratzer Environmental Services, which proposal is attached hereto as Exhibit A, which describes more fully the services to be provided by Kratzer Environmental Services and the Fees to be charged by Kratzer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, *et seq.*) authorizes the hiring of a professional, such as an environmental consultant, without competitive bidding providing that the amount to be paid for the work of the professional is less than the bid threshold set forth in the law.

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

1. Kratzer Environmental Services is hereby engaged to perform professional services for the Township of Kingwood by providing a natural resources inventory (NRI), as is more specifically described in the proposal of Kratzer Environmental Services, attached hereto as Ex. A, for an amount not to exceed \$2,500.00.
2. This contract is awarded without competitive bidding as "Professional Services" as well as being in an amount for less than the bid threshold under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5.
3. The Mayor, Clerk, Chief Financial Officer and all other necessary Township officials are hereby authorized to execute any and all documents necessary for the transactions contemplated by this Resolution.

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to hire Deborah Kratzer from Kratzer Environmental Services for the amount to be paid \$2,500.00 for professional services for the Horseshoe Bend Park Natural Resource Inventory.

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

C.F.O. Diane Laudenbach suggested that the Township Committee adopt a Resolution to approve a Chapter 159 to award this amount to be paid out of the grant funds for the professional services.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2013 - 73

**APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:4-87)**

FISCAL YEAR 2013 NATIONAL PARK SERVICE 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 2013 in the sum of \$2,500.00, which item is now available as a revenue from the National Park Service, as a reimbursement to Kingwood Township in the amount of \$2,500.00.

BE IT FURTHER RESOLVED that the like sum of \$2,500.00 is hereby appropriated under the caption National Park Service Grant; and

BE IF FURTHER RESOVLED that the above is a result of a grant of \$2,500.00 from the National Park Service.

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

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

Committeeman Dodds explained that this will not be an expense for the township, but it is a sub grant from the Hunterdon Land Trust to Kingwood Township regard to a Natural Resource Inventory for the Horseshoe Bend Park.

Discuss Repairs to Ramps and Walkways at Municipal Building

Deputy Mayor Haywood noted that she received a complaint from a township resident that came to the municipal building regarding the cracks in the ramp that leads down to the municipal offices. She stated that her wheelchair was stuck in the cracks of the walkway. Mrs. Haywood explained that after examining the ramp herself, it is indeed in poor shape and suggested that the township should do something about repairing the cracks. The Committee Members discussed this further and all agree that the sidewalks and ramps should be repaired as soon as possible. They suggested that the Department of Public Works be contacted to repair the cracks in all of the ramps and sidewalks around the municipal building.

Discuss Notification/Signage for Hearing Impaired Equipment at Municipal Building

Deputy Mayor Haywood explained that she also discussed with the same resident whom the Township Committee previously discussed regarding the wheelchair that was stuck along the ramp. She explained that the resident noted that the township had obtained hearing impaired equipment years ago in the municipal building for meetings, and thought it might be a good idea to put a sign up by the doorway notifying residents that have trouble hearing. She explained that this is to let them know that this is available if they would like to use it. The office staff that was present at the meeting explained that a sign is currently up in the vestibule of the meeting room and has been up since they obtained the hearing impaired earphones. There was a discussion regarding searching a service to call if someone came into the municipal building and was unable to hear very well.

Discuss Insurance for Vendors

Committeeman Dodds briefly noted the Parks and Recreation Committee is preparing for the townships annual Community Day on September 21st. He explained that the Committees have been reviewing the vendor application and making changes that need to be done. He reviewed what the township’s insurance company has recommended. He stated that they would like the township to require liability insurance from vendors that are at the Community Day event. He noted that they recommend a million dollar liability insurance policy for each individual vendor, or whatever the township feels is best to require. There was a lengthy discussion regarding insurance for vendors and also for individuals who reserve to use the parks for events and parties. The Parks and Recreation Secretary, Cynthia Keller was present and explained which individuals submit insurance certificates for the use of the parks. She noted that she obtains insurance certificates from all the clubs, sports teams and special events that are scheduled.

Mayor Lubitz stated that he would like to know the cost for a day, such as, Community Day for a general crafter, vendor or anyone who has a small business to obtain a one million dollar liability policy for the one day. Secretary Keller will speak to the insurance company and will have an answer for the next township meeting. The Committee Members had a very lengthy discussion and they decided the amount of one million dollars for each vendor as requested by the insurance company.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to require vendor’s for Community Day to obtain a million dollar liability insurance coverage for that day as recommended by Statewide Insurance Company.

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

OLD BUSINESS

Discuss Recycling and Clean Communities Vouchers

The Committee Members discussed the unpaid vouchers with the C.F.O. D. Laudenbach.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to authorize the Chief Financial Officer to remit payment on Purchase Order No. 13-10098 - \$15.51, Purchase Order No. 13-10100 in the amount of \$7.72 to Clinton Business Products and Purchase Order No. 13-10097 in the amount of \$89.98 and Purchase Order No. 13-10099 in the amount of \$30.98 to Office Concepts Group without the officer’s certification being completed.

Roll Call Vote:

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

Discuss Time Sheets

Mayor Lubitz noted that this is more of a personnel issue, and would like to discuss this with C.F.O. D. Laudenbach on Tuesday evening.

Vote to Accept Clean Up Day Proposal

The Committee Members reviewed the proposals from the following companies for the Clean Up Program:

2013 CLEANUP DAY PROGRAM QUOTES

<u>HAULER</u>	<u>COST PER DUMPSTER</u>	<u>TIPPING FEE PER TON</u>
Raritan Valley Disposal	\$ 160.00 per 30 yd. dumpster	\$ 75.00 per ton tipping fee (\$3.00 per ton NJ Recycling Enhancement Tax)
Carnevale CD Disposal	\$ 219.00 per 30 yd. dumpster	\$ 93.00 per ton tipping fee (\$3.00 per ton NJ Recycling Enhancement Tax)
Russell Reid	\$ 250.00 per 30 yd. dumpster	\$ 95.00 per ton tipping fee (\$3.00 per ton NJ Recycling Enhancement Tax)

(June – November) 2013

**Total Cost of Entire Clean-up Season Using (1) Unit (2) Units (3) Units
Including Per Ton Tipping Fees and \$3.00 Per Ton NJ Recycling Enhancement Tax**

Total for 6 months: (1) Unit (2) Units (3) Units

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Raritan Valley Disposal	\$2,754.00	\$5,586.00	\$8,340.00
Carnevale CD Disposal	\$3,468.00	\$7,032.00	\$10,500.00
Russell Reid	\$3,754.00	\$7,606.00	\$11,360.00

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to choose Raritan Valley Disposal which was the lowest quote submitted for the 2013 Clean Up Day Program.

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

Discuss Fees for Site Plan Escrow

Mayor Lubitz explained that the township recently had a good example tonight of escrow not being replenished. There was a discussion on the amount of costs for escrow, and if the amount is enough to cover the costs for the professionals. Mayor Lubitz suggested there be subcommittees formed with members of the Planning Board and the Board of Adjustment to work on the appropriate fees for escrows, based on the professional charges.

Discuss Signs for Horseshoe Bend Road

Mayor Lubitz stated that he spoke with the Council President and Mayor from Frenchtown Borough regarding Kingwood Township putting up a sign on Frenchtown's right of way, in the most visible location. He noted that they have agreed that the sign can be put up, but that Kingwood will need to wait until they have completed their grant work. There was a lengthy discussion regarding the wording of the signs. Mayor Lubitz noted that there will be two signs put up, one on the corner of Spring Hill Road and Horseshoe Bend Road and one in the Borough of Frenchtown at the beginning of the road off of Route 12. Committeeman Dodds will circulate and obtain suggestions for the wording of the signs and bring back for the Township Committee to decide. It was discussed that if an agreement can be reached on the wording of the signs, then they can then be ordered prior to another township meeting. Deputy Mayor Haywood suggested that that the dog organizations and groups should distribute to their members instructions for entering and exiting the Horseshoe Bend Park. Mayor Lubitz and Committeeman Dodds agreed.

Petty Cash Fund

C.F.O. Diane Laudenbach noted that the auditor recommended that the township limit requests to \$50 - \$75 at one time. There was a very lengthy discussion regarding a petty cash fund.

Secretary to the Parks and Recreation Committee Cynthia Keller will contact BJ's Wholesale and Shoprite of Flemington to inquire about any type of store account card for the Parks and Recreation Committee to use for future events. The Committee Members agreed that for the petty cash fund, one commissioner on the Parks and Recreation Committee will call the C.F.O. to authorize release of the funds from the petty cash fund, and one commissioner will sign the voucher.

DPW Generator Installation -Approval to wire well hook-up to DPW Garage

Mayor Lubitz explained that an electrician started the work at the DPW to hook up the well wire to the DPW garage, but then left for vacation. He noted that the township will be going out for additional quotes for the hook-up.

Proposal to Cover Recycling Dumpsters

Mayor Lubitz explained that the township really needs to do something with the recycling dumpsters and find some kind of cover due to the wind and the items blowing all over the field and in the woods. He stated that the proposal received for the cover for the recycling dumpsters was very high and that the township will be obtaining a few additional quotes before making any decisions. Recycling Coordinator, Sandra McNicol was present and stated that she called Joe Davis from the State office. She explained that he told her that the township would be able to use the clean communities funds to improve the site. She feels that the township should obtain several additional bids for the cover, and that a meeting should be set up with the Mayor, the C.F.O. and herself to discuss an amount that would be appropriate to spend from the clean communities fund and the recycling account for the coverage of the recycling bins. The Committee Members all agreed that this would be a good idea.

MINUTES

April 4, 2013 Executive Session

Mayor Lubitz would like to discuss this set of minutes in executive session.

May 2, 2013 Regular Meeting Minutes

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve the May 2, 2013 Regular Meeting Minutes with the following correction:

Correction of Minutes:

First page currently states "Committeeman Dodds" was present at the April 4, 2013 Township Committee Meeting. The correction should state: Committeeman Dodds was absent at the April 4, 2013 Township Committee Meeting.

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

May 2, 2013 Executive Session

Mayor Lubitz would like to discuss this set of minutes in executive session.

EXECUTIVE SESSION – RESOLUTION NO. 2013-70

The following Resolution was introduced to enter into closed session at approximately 9:55P.M.:

RESOLUTION NO. 2013 –70

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 – Habitat for Humanity Bl 19 L 5
United Reformed Church Bl 12 L 25
Suffolk Wireless Cell Tower Lease
Litigation - Chris' Citgo Bl 9 L 2.01
Possible Litigation – Tumble Partnership LLP Bl 32 L 10 & 11.02
April 4, 2013 Executive Session
May 2, 2013 Executive Session
Sending Districts
Complaint Regarding Park and Recreation Member
Unknown Property

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. Dodds and carried to adopt the foregoing Resolution.

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

RETURN TO REGULAR SESSION

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to return to regular session at 10:37P.M. **All** voted **Aye** on **Roll Call Vote**.

Unknown Ownership of Properties

Committeeman Dodds explained that there are a number of properties approximately five to seven in Kingwood that are either no longer listed on the tax list and they are listed on the tax map by block and lot, but do not exist on the public listing of tax owners, or they are listed on the tax map and on the tax list as owner being unknown. He explained that there are several reasons we need to find out the owners to these properties, because they owe the township a lot of money in taxes. There was a discussion regarding a cemetery on Locktown Road, which is on Block 17, Lot 4, which is listed as unknown. Committeeman Dodds asked the attorney if it was the responsibility of the township to maintain these records. Attorney Kopen stated that a title search should be conducted, and that it is not the responsibility of the township to pay for the title search. She noted that the searcher would need to keep going back until they found an owner. Tax Collector, Diane Laudenbach was present and noted that she will check to see if there is a lien on any of these properties. It was stated that cemeteries are tax exempt.

MINUTES

April 4, 2013 Executive Session

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to adopt the April 4, 2013 Executive Session Meeting Minutes with amendments discussed in executive session.

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

May 2, 2013 Executive Session

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to adopt the May 2, 2013 Executive Session Meeting Minutes with amendments discussed in executive session.

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

Mayor Lubitz discussed political signs and explained a letter that was received as a complaint about the corner of Oak Grove Road and Route 519 next to the municipal building. It stated that when coming out of Oak Grove Road it was dangerous due to the political signs being in the way in order to see to get out onto Route 519. Attorney Kopen will look up political signs and have information for next month's township meeting.

ADJOURNMENT

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to adjourn the meeting at 10:55P.M. All voted **Aye** on **Roll Call Vote**.

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

