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## **KINGWOOD TOWNSHIP COMMITTEE**

### **Regular Meeting Agenda**

**October 3, 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**

**Hunterdon County Community Outreach Specialist – Ms. Susan Rozycki**

**Mount Amwell Project – David Reading**

#### **Correspondence**

Letter from R Locandro re: Electric, Gas & Energy Aggregation

Notification of Intention to Commence Negotiations re: Teamsters Local #469

Resolution from Holland Twp re: Animal Control Officer Responsibilities

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

#### **Bills and Claims**

#### **Reports**

NJSP Report

Emergency Management Coordinator

Finance Department:

Receipts & Budget Report of August 2013

Tax Collector's Report of August 2013

Construction Department Report of August 2013

Municipal Court Report of August 2013

## October 3, 2013 Township Committee Agenda Continued

### Reports Continued

Township Engineer's Report  
Dog License Report  
Safety Committee Meeting Report from Statewide  
Network Infrastructure Evaluation and Recommendations

### Future Meetings & Activities

**October 5 & 6 -** Township Wide Yard Sale from 8:30AM – 4:00PM  
**October 12 -** Computer & Electronics Collection Day at Cty Rte 12  
Complex from 9:00AM – 1:00PM  
**October 15 -** Last Day to Register to Vote in the November General Election  
**October 16 -** Special Election for US Senate, All Residents Vote at Fire House  
in Baptistown, 6:00AM - 8:00PM  
**October 29 -** Last Day to Apply By Mail for a Mail-In Ballot for General  
Election  
**November 5 -** General Election Day, All Residents Vote at Fire House in  
Baptistown, 6:00AM - 8:00PM  
**November 7 -** Regular Monthly Mtg of Township Committee at Municipal  
Building beginning at 7:00PM  
**November 9 -** Recycling at Township Garage from 9:00AM – 12:00Noon  
**November 9 -** Clean Up Program at Township Garage from 9:00AM –  
12:00Noon, permit required  
**November 9 -** Senior Dinner at United Methodist Church from 12:00Noon –  
2:00PM, register by October 25th

### Ordinances

**Ordinance No. 17-19-2013 Amending the Code Of The Township Of  
Kingwood, County Of Hunterdon, State Of New Jersey, To Designate  
The Position Of Purchasing Agent – Public Hearing and Final Adoption**

### Resolutions

**Resolution No. 2013-97 -** Reduction of Performance Guarantee BI 22 L 16  
**Resolution No. 2013-98 -** Authorizing Purchase of Oil and Fuel Through HCESC  
**Resolution No. 2013-99 -** Appoint Part-Time Building Inspector  
**Resolution No. 2013-100 -** Approve Renewal of BMA Liquor License  
**Resolution No. 2013-101 -** Authorize Agreement for 2012 Recreational Trails Grant

### New Business

Letter of Resignation – Dog Licensing & Animal Control  
Discuss Dog Licensing and Animal Control Needs – **Resolution No. 2013-104** – Professional Services  
Approve Shoprite Account for Parks & Recreation Committee  
Banking Proposals  
Best Practices Checklist  
Discuss New Oven/Stove for Rental Property  
Memo and Proposals from Parks & Recreation Committee – Grass Cutter for Kingwood  
Park  
Middlesex Regional Educational Services Commission Info  
Recommendation from Parks & Recreation Committee – Baptistown Baptist Church

## **October 3, 2013 Township Committee Agenda Continued**

### **Old Business**

Purchasing Policy  
Employee Request Form for Vacation/Absence & Amendment to  
Employee Handbook & Personnel Policies & Procedures Manual  
Discuss Driver's License Policy  
Discuss Recycling Area Cover/Enclosure

### **Minutes**

September 5, 2013 Regular Meeting  
September 5, 2013 Executive Session

### **Executive Session – Resolution No. 2013-102**

Contract Negotiations – Habitat for Humanity Bl 19 L 5

### **Return to Regular Session**

**Resolution No. 2013 – 103** Requesting the County of Hunterdon Undertake  
Animal Control Officer Responsibilities

Review on Community Day 2013

### **Adjournment**

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

October 3, 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:

### **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.**

### **Hunterdon County Community Outreach Specialist – Ms. Susan Rozycki**

Ms. Susan Rozycki was present at the meeting introduced herself and explained what her organization does. She noted that they are trying to educate the people of Hunterdon County. She stated they assist youth's ages 16 to 21 years of age who need direction and help with soft skills to lead to employment. She explained that individuals who are interested need to be screened to see if they qualify for the free program. She explained that this is all paid for by a grant. She answered several questions from the Committee Members.

### **Mount Amwell Project – David Reading**

David Reading was present at the meeting to give an update on the Mount Amwell Project and what they have done so far at the Cemetery in Slacktown on Locktown Road. He reviewed and went over a report and slide show he submitted.

He stated that this is a nonprofit project for the cemetery on Locktown Road. There was some discussion as to the debris removal, weeds, branches, and trees. Township Historian Sal DeSapio was present at the meeting and shared about the cleanup project for the cemetery on Oak Summit Road, which was done over a few years ago. He explained that it was basically two separate Eagle Scout projects. He noted that there were thirteen revolutionary war veterans buried there, which is quite an honor. He would like to see the same shown to the Locktown Rd. cemetery. Mr. Reading noted that Mount Amwell will be pursuing the question of ownership. There was a discussion regarding the liability, which would be on the volunteers involved. Mayor Lubitz stated that this project will be an asset to the township. Mr. Reading noted that Mount Amwell Project will contact the residents when they are going to begin. It was suggested to contact the scouts to volunteer. The Department of Public Works will provide a chipper to help remove the debris that is taken off the property.

**CORRESPONDENCE**

Letter from R Locandro re: Electric, Gas & Energy Aggregation

Mayor Lubitz briefly reviewed.

Notification of Intention to Commence Negotiations re: Teamsters Local #469

To be discussed in executive session.

Resolution from Holland Twp. re: Animal Control Officer Responsibilities

This will be discussed later in the meeting when discussing the Township Animal Control Officer.

**PUBLIC COMMENT – PRIVILEGE OF THE FLOOR**

Mayor Lubitz opened the Public Comment Privilege of the Floor.

There were not comments from the public.

Mayor Lubitz closed Public Comment Privilege of the Floor.

**BILLS AND CLAIMS**

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve and pay all bills and claims in the amount of **\$484,546.88** that are in order and attached as Bill List for October 2013.

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

**REPORTS**

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

NJSP Report

Mayor Lubitz briefly reviewed.

Emergency Management Coordinator

Emergency Management Coordinator, Jack MacConnell was present and reported on some farm equipment that had been vandalized in the township and wanted to make people more aware. He noted that last year there was another farmer who had pieces of steel stuck in the corn. He suggested putting something on our website to let people know they can call the State Police if they see something in the fields at night. He reported on a dinner meeting he will be attending regarding the pipeline and on safety training from JCP&L. He reported that there are some thefts and problems on the former Silkotch property where the solar fields are being constructed. Mayor Lubitz asked about rescheduling the training with the Kingwood Township Fire Company and Rescue Squad, which was postponed in the spring. Jack MacConnell noted that things are going very well at the Horseshoe Bend Park since the township went with opening the park from sunrise to sunset.

He briefly reported on a meeting he and Committeeman Dodds lead for the hunters that are hunting on the grounds of Horseshoe Bend Park.

Finance Department:

Receipts & Budget Report of August 2013

Tax Collector's Report of August 2013

Construction Department Report of August 2013

Municipal Court Report of August 2013

Township Engineer's Report

Mayor Lubitz commented on the solar farms in the township.

Dog License Report

Safety Committee Meeting Report from Statewide

Network Infrastructure Evaluation and Recommendations

Committeeman Dodds feels this is a good report. He commented on the advantages of offsite back up storage. He feels the next step is to obtain some prices.

### **FUTURE MEETINGS AND ACTIVITIES**

Mayor Lubitz reviewed as per the Agenda.

### **ORDINANCES**

**ORDINANCE NO. 17 – 19 – 2013 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO DESIGNATE THE POSITION OF PURCHASING AGENT VOL. 17, PG. 17-19** - 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 5<sup>th</sup> day of September, 2013. The Ordinance was published in the Hunterdon County Democrat on September 12, 2013 and has been posted in the Kingwood Township Municipal Building on September 6, 2013. Copies of the Ordinance have been available for inspection by the public since September 6, 2013.

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

Comments: 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 – 19 - 2013**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO DESIGNATE THE POSITION OF PURCHASING AGENT**

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

1. There is hereby created the position of Purchasing Agent for the Township of Kingwood.

2. The Purchasing Agent shall be appointed by the governing body.

3. The Purchasing Agent is required to possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs.

4. The Purchasing Agent shall have, on behalf of the Township Committee of the Township of Kingwood, the authority, responsibility and accountability for the purchasing activity pursuant to Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); to prepare public advertising for and to receive bids and requests for proposals for the provision or performance of goods, services and construction contracts; to award contracts pursuant to New Jersey law in accordance with the regulations, forms and procedures promulgated by state regulatory agencies; and conduct any activities as may be necessary or appropriate to the purchasing function of the Township of Kingwood.

5. 17-19-2013. The creation of the position of Purchasing Agent sets the bid threshold pursuant to N.J.S.A. 40A:11-3 (a) and (c) for the Township of Kingwood.

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

7. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

8. This ordinance shall take effect immediately upon final passage and publication as required by law.

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

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

**RESOLUTIONS**

**Resolution No. 2013-97 - Reduction of Performance Guarantee Bl 22 L 16**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 – 97**

**AUTHORIZING THE RELEASE OF A PORTION OF THE PERFORMANCE GUARANTEE FOR BLOCK 22, LOT 16 OWNED BY LAURELTON-BELMONT PROPERTIES, LLC.**

**WHEREAS**, Laurelton-Belmont Properties, LLC. (hereinafter “Developer”) received amended preliminary and final major subdivision approval with variances for development of Block 22, Lot 16 on the Township of Kingwood Tax Map, as well as boundary line adjustment approval for Block 22, Lots 15.01 and 16 on the Township of Kingwood Tax Map (hereinafter “Property”) from the Township Planning Board by its Resolution of October 9 2007; and

**WHEREAS**, improvements have been constructed on the Property and the Developer has requested that a portion of the posted performance guarantee be released; and

**WHEREAS**, the Township Engineer has inspected the Property and provided a Bond Reduction Estimate report attached hereto as Exhibit A, recommending that the Township retain the amount of \$322,915.80 of the posted performance guarantee which originally was in the amount of \$795,975.00;

**NOW THEREFORE BE IT RESOLVED** as follows:

1. That the Township of Kingwood retain the amount of \$322,915.80 of the posted performance guarantee, which originally was in the amount of \$795,975.00, and that the excess of \$322,915.80 be released to the Developer, per Exhibit A attached hereto.
2. That the Mayor and Clerk, Chief Financial Officer and any other necessary municipal official of the Township of Kingwood is hereby authorized to undertake such actions as are required to accomplish the terms of this resolution.

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

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

**Resolution No. 2013-98 - Authorizing Purchase of Oil and Fuel Through HCESC**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 – 98**

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

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

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



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

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

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

1. The Township of Kingwood, as a member of the Hunterdon County Educational Services Commission, hereby authorizes the purchase of fuel oil, diesel fuel and gasoline from the low bidder for these items, Allied Oil, per the bid amounts set forth in correspondence from the Hunterdon County Educational Services Commission dated September 24, 2013 attached hereto and made a part hereof as Exhibit A.

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

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

**Resolution No. 2013-99 - Appoint Part-Time Building Inspector**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 – 99**

**PART – TIME BUILDING INSPECTOR**

**WHEREAS**, the Township is in need of an additional, part time Building Inspector due to an increase from the solar properties; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to employ Thomas E. Lance of 425 Broad Street, Pen Argyl, PA 18072 as a part time Building Inspector, at the rate of \$28.00 per hour, based upon the recommendation of the Township’s Construction Official.

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

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

**Resolution No. 2013-100 - Approve Renewal of BMA Liquor License**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 - 100  
LIQUOR LICENSE APPLICATION RENEWAL  
SPECIAL RULING BY DIRECTOR**

**WHEREAS**, application has been made to the Kingwood Township Committee for the renewal of Plenary Retail Consumption License No. 1016-33-004-007 for the 2013-2014 licensing period; and

**WHEREAS**, Plenary Retail Consumption License No. 1016-33-004-007 became inactive as the licensed premises were not open and operating for two full license terms since on or before June 30, 2011, and the licensee subsequently filed a verified petition with the Director of the Division of Alcoholic Beverage Control requesting authorization for the local issuing authority to consider a renewal application for the 2013-2014 license term; and

**WHEREAS**, the Kingwood Township Committee has now received a copy of the Special Ruling issued by the Director of the Division of Alcoholic Beverage Control finding that the licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal pursuant to the provision of N.J.S.A. 33:1-12.39; and

**WHEREAS**, the Kingwood Township Committee, at a meeting assembled, has reviewed the “12.39” Special Ruling and the renewal application, and the submitted application form is 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

**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 License be hereby renewed for the 2013-2014 licensing period effective October 3, 2013:

1016-33-004-007      BMA Enterprises LLC  
                                 1121 Highway 12  
                                 Frenchtown, NJ 08825  
Municipal Fee: \$2,500.00      State Fee: \$200.00  
Plenary Retail Consumption 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. 2013-101 - Authorize Agreement for 2012 Recreational Trails Grant**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 – 101**

**APPROVAL OF NJDEP GREEN ACRES PROGRAM  
2012 RECREATIONAL TRAILS PROGRAM GRANT PROJECT AGREEMENT**

**WHEREAS**, the Kingwood Township Committee has been awarded a 2012 Recreational Trails Program grant from the NJDEP Green Acres Program for the Horseshoe Bend Park – Trail Restoration Project; and

**WHEREAS**, the Township Committee has received the project agreement and agrees to abide by the requirements of the program;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that the Mayor, Open Space Advisory Committee Vice Chair and Chief Financial Officer are hereby authorized to execute the Agreement and any other necessary documents in regard to the Agreement on behalf of the Township.

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

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

Committeeman Dodds commented that this is the grant the township has been currently working on to do trail work at the Horseshoe Bend Park and that it is not a new grant.

**NEW BUSINESS**

**Letter of Resignation – Dog Licensing & Animal Control**

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to accept the letter of resignation from Tracy Fleming as Dog Licensing & Animal Control Officer effective date of 10-04-2013.

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

**Discuss Dog Licensing and Animal Control Needs**

There was a discussion regarding the need for a certified Dog License Official and Animal Control Official for the positions available. The Township Committee reviewed two proposals received for Animal Control, which were the following:

Animal Control Solutions LLC	\$7,560.00
2 Marshall Drive	
Flemington, NJ 08822	

Animal Control & Investigative Services, LLC                      \$9,900.00  
249 Goat Hill Road  
Lambertville, NJ 08530

There was a discussion on the term of contract and payments for the last three months of the year. Attorney Kopen suggested that a motion be made to award a contract for a period until the end of the year if the Township Committee agreed to enter a separate contract for three months.

**RESOLUTION**

**Resolution No. 2013-104 – Professional Services**

The following Resolution was introduced:

**RESOLUTION NO. 2013 – 104**

**RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACT TO ANIMAL CONTROL SOLUTIONS, LLC**

**WHEREAS**, the Township of Kingwood has a need to acquire the professional services of an animal control officer due to the resignation of its animal control officer; and

**WHEREAS**, Kingwood Township has received a proposal for such services from Animal Control Solutions, LLC, to perform these services until December 31, 2013, for the total pro-rated amount of \$579.88 for that time period, which is set forth in the Professional Services Contract between Animal Control Solutions, LLC and the Township of Kingwood attached hereto and made a part hereof as Exhibit A; and

**WHEREAS**, the payments to be made to Animal Control Solutions, LLC are further set forth in Exhibit A to be paid monthly, with amounts to be paid for each month separately indicated; and

**WHEREAS**, the services to be provided by Animal Control Solutions, LLC will not exceed \$579.88, which amount is below the bid threshold and is or will be made available for this purpose to be certified by the Chief Financial Officer; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, *et seq.*) authorizes the award of contracts without competitive bidding where the contract involves professional services or the amount to be paid for the work 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. Animal Control Solutions, LLC is hereby engaged to perform animal control officer services pursuant to the Professional Services Contract between Animal Control Solutions, LLC and the Township of Kingwood, for the Township of Kingwood as described in that contract, for the period from October 4, 2013 until December 31, 2013, which services qualify as Professional Services pursuant to N.J.S.A. 40A:11-1, *et seq.*; and

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.

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

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

Motion Amended

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to amend the motion to approve the contract with Animal Control Solutions LLC terminating at end of the year, and not to exceed 15 months if this is not possible.

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

Mayor Lubitz will be in contact with a representative from Animal Control Solutions LLC regarding the census.

Approve ShopRite Account for Parks & Recreation Committee

There was a brief discussion regarding the charge account with ShopRite of Flemington. It was stated that only two individuals will be authorized to use the card at the Flemington store. Committeeman Dodds noted that the Parks and Recreation Committee will need to decide on two individuals on the Parks and Recreation Committee that will be authorized to use the cards.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve the Shoprite Charge Account with the Flemington Store for the use of the Parks and Recreation Events.

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

Banking Proposals

Mayor Lubitz thanked C.F.O. D. Laudenbach for obtaining the interest rates. The Committee Members reviewed the bank proposals and feel that there is not enough difference in the rates and would like to stay with Fulton Financial Bank of New Jersey.

Best Practices Checklist

The Committee Members reviewed the Best Practices checklist thoroughly with the township's C.F.O. It was noted that there are a few questions that need additional review. C.F.O. D. Laudenbach will meet with a Committee person on Tuesday evening of next week.

Discuss New Oven/Stove for Rental Property

Clerk MacConnell reported on the rental unit located on Route 519, which is in need of a new oven/stove. Committeeman Dodds will contact the current tenant to meet with townships DPW Supervisor to measure the area for a new appliance.

Memo and Proposals from Parks & Recreation Committee – Grass Cutter for Kingwood Park

Committeeman Dodds explained what took place at the Parks and Recreation Meeting last evening. He explained that the Department of Public Works Department has repaired the mower deck many times over the years and there is not much left to the mower. He explained the Park Director has put in up to 40 hours per week on the machine this summer mowing at the Kingwood Park. There was a discussion regarding the budget and if there was a line item for equipment. Committeeman Dodds explained that this expense would come out of the Parks and Recreation account whether they decide to purchase or lease the machine. He noted that it may be easier to lease with the option to purchase over time. There was a brief discussion regarding the Parks and Recreation budget accounts, their cash flow and finances regarding Community Day.

Middlesex Regional Educational Services Commission Info

Clerk MacConnell reported on the information from Middlesex Regional Education Services Commission. She noted that this information came from the Park Director.

Recommendation from Parks and Recreation Committee – Baptistown Baptist Church

Committeeman Dodds noted that the Parks and Recreation Committee would like to recommend that the Township Committee look into the acquisition of this property, and that they are very supportive to the idea to purchase it for a township building. It was noted that the church has already made a decision to move their church in with another congregation, therefore, they are not interested in staying in Baptistown.

**OLD BUSINESS**

Purchasing Policy

C.F.O. D. Laudenbach had added the emergency purchases section as submitted last month by the Emergency Management Coordinator.

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve Emergency Purchases Section as part of the Employee Handbook & Personnel Policies & Procedures Manual.

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

Employee Request Form for Vacation/Absence & Amendment to Employee Handbook & Personnel Policies & Procedures Manual

C.F.O. D. Laudenbach reviewed the amendments she made as per last month’s discussion regarding the Employee Request Form for Vacation/Absence & Amendment to Employee Handbook & Personnel Policies & Procedures Manual.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve the amendments made to the Employee Request Form for Vacation/Absence & Amendment to Employee Handbook & Personnel Policies & Procedures Manual.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to rescind the previous motion, and that the amendment that was discussed should be removed from form, and to remove that section from the manual.

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

Discuss Driver’s License Policy

Attorney Kopen reviewed her conversation with the Insurance Agent from State Wide Insurance and she distributed a memo outlining the information. There was a lengthy discussion regarding an employee or volunteer who operates their own vehicle while working or attending meetings or functions for the township. It was discussed that next year every employee, including elected officials and all volunteers give permission for a check and copy of valid driver’s license and insurance card.

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve for the year 2014 that every employee, volunteer and elected official be given a driver’s license permission slip and to require a copy of the appropriate auto insurance while conducting township business.

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

Discuss Recycling Area Cover/Enclosure

Mayor Lubitz reviewed the bids that were received last month. There was a discussion regarding the need for a cover/enclosure for the recycling area. It was suggested to write a letter to the State requesting permission to use the Clean Community Grant Funds to purchase a cover/enclosure for the recycling area. C.F.O. Diane Laudenbach was instructed to write a letter to the state. The township would like to take care of this before the next budget year.

**MINUTES**

September 5, 2013 Regular Meeting

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve the regular meeting minutes of the September 5, 2013 Township Committee meeting.

No Comments.

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

September 5, 2013 Executive Session

It was moved by Mr.Dodds, seconded by Mrs. Haywood and carried to approve the executive session meeting minutes of the September 5, 2013 Township Committee.

No comments.

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

**EXECUTIVE SESSION – RESOLUTION NO. 2013-102**

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

**RESOLUTION NO. 2013 –102**

**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:

Contract Negotiations – Habitat for Humanity Bl 19 L 5

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,  
DPW Union Agreement with Teamster Local Union No. 469**

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, seconded by Mrs. Haywood and carried to adopt the foregoing Resolution.

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

**RETURN TO REGULAR SESSION**

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to return to regular session at 10:20P.M. All voted Aye on Roll Call Vote.

Deputy Mayor Haywood read aloud the resolution received from Holland Township. She feels that the Township Committee should review this and consider supporting this study.

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2013 – 103**

**REQUESTING THE COUNTY OF HUNTERDON UNDERTAKE ANIMAL CONTROL OFFICER RESPONSIBILITIES**

**WHEREAS**, the County of Hunterdon is composed of 26 municipalities whose populations range in size from the smallest, Stockton Borough, with a population of 538, to the largest, Raritan Township, with a population of 22,185. Eight of the municipalities in the County have a population of under 2,000 and 22 of the 26 municipalities have a population of under 6,000. Accordingly, the vast majority of municipalities in Hunterdon County are smaller ones which do not have large administrative staffs; and

**WHEREAS**, notwithstanding the size of the majority of municipalities in the County, *N.J.S.A. 4:19-15.16* requires the governing body of each municipality appoint a certified animal control officer responsible for animal control within the jurisdiction of the municipality, who shall enforce and abide by statutory requirements for such an office; and

**WHEREAS**, *N.J.S.A. 4:19-15.16.a.* establishes the certification requirements for animal control officers and mandates the establishment of rules and regulations for the training and educational qualifications for certified animal control officers; and

**WHEREAS**, *N.J.S.A.* 4:19-15.16 mandates municipalities take into custody and impound dogs and other animals which are believed to be strays, dogs off the premises of the owner, any off premises female dog in season, any dog or other animal which is suspected of being rabid, any dog off the premises of the owner judged by the certified animal control officer to be ill, injured or creating a threat to public safety or welfare; and

**WHEREAS**, *N.J.S.A.* 4:19-15.16 establishes the procedure as to how the certified animal control officer is to take into custody and impound dogs or other animals required to be collected, and further provides that those animals are to be turned over to a shelter, pound or kennel; and

**WHEREAS**, prior to the adoption of the more demanding requirements for certification of animal control officers and the collection of animals meeting the definition of the statutory requirements, dog and other animal control activities were often carried out by humane shelters or individuals known as dog catchers; and

**WHEREAS**, the increased professionalism required of animal control officers has decreased the number of suitable candidates for this position; and

**WHEREAS**, the number of shelters which are convenient to municipal locations willing to take dogs or other animals collected by the animal control officer has diminished for various reasons; and

**WHEREAS**, it has become increasingly difficult for municipalities in the County of Hunterdon to fulfill their statutory responsibilities with respect to stray dogs and other animals; and

**WHEREAS**, the State of New Jersey has a strong policy to encourage shared services to reduce the costs of municipal services; however, there are few economic benefits to be achieved by individual municipalities sharing an animal control officer because of the nature of the service. However, significant efficiencies of scale could be achieved if a county-wide animal control officer was created; and

**WHEREAS**, in larger municipalities the animal control officer usually reports to the municipal health officer; and

**WHEREAS**, in Hunterdon County most, if not all, municipalities do not have their own health officer, but delegate the administrative responsibilities of their Boards of Health to the County of Hunterdon Division of Public Health Services; and

**WHEREAS**, having a countywide animal control officer(s) under the jurisdiction of the Hunterdon County Division of Public Health Services will increase professionalism, reduce the cost of providing animal control services and provide for more efficient use of the vehicles and equipment; and

**WHEREAS**, it would make sense for the County of Hunterdon to create the office of animal control officer within the Division of Public Health Services, which has the experience and administrative capacity to efficiently hire animal control officers and oversee their day-to-day activities.

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

1. The Township Committee strongly urges the Hunterdon County Board of Chosen Freeholders to initiate a study of the appropriate benefits of a County take over of the functions of the municipal animal control officer in any municipality which, by Resolution, requests that the County take over its animal control requirements; and

2. The Township Committee requests that the State Senators and Assemblymen who represent municipalities in the County of Hunterdon, petition the State of New Jersey to provide funding for the study of a plan to have the County of Hunterdon take over the animal control responsibilities from municipalities which request that service; and
3. The Township Clerk is directed to send a copy of this Resolution to the following:
  - A. The Hunterdon County Board of Chosen Freeholders;
  - B. The Mayor and Governing Body of each of the 26 municipalities in the County of Hunterdon; and
  - C. Each State Senator and Assemblymen who represent any municipalities in the County of Hunterdon.

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

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

Review on Community Day 2013

Committeeman Dodds noted that the Parks and Recreation did well this year at Community Day. He expressed that others have mentioned the energy and enthusiasm has diminished over the years. He suggested that maybe the township seek individuals that may be interested in volunteering to manage Community Day by having fundraising events to help pay for the expenses.

**ADJOURNMENT**

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to adjourn the meeting at 10:30P.M. All voted **Aye** on **Roll Call Vote**

**Respectfully Submitted,**

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