

# **KINGWOOD TOWNSHIP COMMITTEE**

## **Regular Meeting Agenda**

**March 6, 2014 – 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 9, 2014 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 6, 2014. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 6, 2014.**

**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 NJSADC re: App for Farmland Preservation Bl 5 L 6 & Recommendation  
From Ag Adv Com and Open Space Adv Com  
Letter from NJ Administrative Office of the Courts re: Municipal Court IT  
Improvements  
Letter from Meals On Wheels In Hunterdon re: Community Champions Week  
HART Thank You Letter re: DPW  
Kingwood Merry Mixers re: Use of Old Fairview School  
New Jersey Tree Recovery Campaign Info & Application  
E-mail from NJ Conservation Foundation

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

**Resolution No. 2014-14 – Temporary Emergency Appropriations**

### **Bills and Claims**

### **Reports**

NJSP Report of January 2014 & February 2014  
Emergency Management Coordinator  
Animal Control Report of January 2014

## **March 6, 2014 Kingwood Township Committee Agenda Continued**

### **Reports Continued**

Construction Reports of January 2014 and February 2014

Court Report of January 2014

Finance Department:

    Budget Report of January 2014

    Tax Collector's Report of January 2014

Township Engineer's Report

### **Future Meetings & Activities**

- March 8 -** Cty Household Hazardous Waste Cleanup at Rte 12 Complex from 9:00am-1:00pm
- March 8 -** Recycling at Twp Garage at 255 Union Rd from 9:00am-12:00noon
- March 12 -** 7th Annual Music In Our Schools at Kingwood Twp School at 7:00pm
- March 31 -** Deadline to File Petitions for June Primary for Township Committee and County Committee, with Municipal Clerk, by 4:00pm
- April 3 -** Regular Monthly Meeting of Township Committee at Municipal Building beginning at 7:00pm

### **Ordinances**

**Ordinance No. 18-01-2014 To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40A:4-45.14) – Public Hearing and Final Adoption**

**Ordinance No. 18-02-2014 Amending Chapter 75A, "Fees" Of The Code Of The Township – Public Hearing and Final Adoption**

**Ordinance No. 18-03-2014 Amending Chapter 34, Recreation Commission And Parks And Recreation Committee, "Fees" Of The Code Of The Township – Introduction and Adoption on First Reading**

**Ordinance No. 18-04-2014 Amending And Supplementing The Land Use Regulations Of The Township, Specifically "Zoning, Chapter 132" Of The General Ordinances Pertaining To Site Plan Approvals – Introduction and Adoption on First Reading**

### **Resolutions**

**Resolution No. 2014-15 -** Municipal Alliance Program – Alcoholism and Drug Abuse

**Resolution No. 2014-16 -** Professional Services Agreements

### **New Business**

Raffles License Application – Big Brothers Big Sisters of Hunterdon Somerset Warren

Discuss Fingerprinting Requirements for Using Kingwood Parks

Discuss Municipal Building Hours on Tuesdays

## **March 6, 2014 Kingwood Township Committee Agenda Continued**

### **New Business Continued**

Recommendation from Ag Adv Com & Open Space Adv Com re: Federal Trails Funds

### **Old Business**

Recycling Area Cover/Enclosure

### **Appointments**

Planning Board Alternate # 1 – Unexpired Two Year Term Expires 12/31/14

Electrical Sub-Code/Inspector – New Four Year Term Expires 3/19/2018

### **Minutes**

February 6, 2014 Special Meeting (5:30PM)

February 6, 2014 Special Meeting Executive Session

February 6, 2014 Regular Meeting (7:00PM)

February 6, 2014 Regular Meeting Executive Session

### **Executive Session – Resolution No. 2014 – 17**

Contract Negotiations - Habitat for Humanity Bl 19 L 5

United Reformed Church Bl 12 L 25

Attorney Advice – OPRA & Common Law Right to Know

Personnel – Plumbing Sub-Code/Inspector Reappointment

Possible Litigation – Block 14 Lot 28.01

Contract Negotiations – HBP MOA & State

Material from Other DPW

### **Return to Regular Session**

Approve Payment of Title Insurance for United Reform Church Property

### **Adjournment**

March 6, 2014

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 Richard Dodds, Committeewoman Diana Haywood, Attorney Judith Kopen, C.F.O. Diane Laudenbach, Deputy Clerk Cynthia Keller and Clerk Mary 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 9, 2014 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 6, 2014. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 6, 2014.**

**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 NJSADC re: App for Farmland Preservation Bl 5 L 6 & Recommendation From Ag Advisory Committee and Open Space Advisory Committee

The Committee reviewed the letter from the State Agriculture Development Committee and a recommendation from the Open Space and Ag Advisory Committees. Deputy Mayor Dodds noted that this was a different application for farmland preservation than the recommendation from the Open Space and Ag Committees. The Committee noted that the letter needs to be completed, signed and sent back as soon as possible. Deputy Mayor Dodds stated this is property that the State will be preserving on Ridge Road.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve to complete the enclosed confirmation letter providing the comments the township may have for preservation for the property Block 5, Lot 6 within 30 days.

<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>

Letter from NJ Administrative Office of the Courts re: Municipal Court IT Improvements

Deputy Mayor Dodds noted that the state is going to replace most of the electronic equipment in the court administrator's office. He explained that this will be to upgrade and improve the information technology systems and that the Administrative Office of the Courts are responsible for providing computer hardware and software as part of the standardized statewide computer system. He explained that this is necessary to automate municipal court operations, and that this will be at no cost to our municipality.

Letter from Meals On Wheels In Hunterdon re: Community Champions Week

Mayor Lubitz noted that he would like to participate, but that he will be unavailable on that day. He requested a letter of regret be sent to the Meals on Wheels.

HART Thank You Letter re: DPW

Mayor Lubitz read aloud the letter of thanks from Hart Commuter Information Services. They were thanking the township for the outstanding job the township's Department of Public Works did this winter to ensure that area roadways have been cleared and safe for travel. Mayor Lubitz noted that on the township's Facebook page, there were so many likes for the DPW, and positive comments regarding the great job they have done for our township roads this winter.

Kingwood Merry Mixers re: Use of Old Fairview School

Mayor Lubitz reviewed a thank you letter from the Merry Mixers expressing their sincere appreciation for the use of the Old Fairview School House, which they used for many years as their monthly meeting place. He stated that the letter explained that they will no longer need the use of the building, and they will be using the Kingwood Methodist Church.

New Jersey Tree Recovery Campaign Info & Application

Mayor Lubitz reviewed the letter and application from the New Jersey Tree Recovery Campaign, which explained that the township has the opportunity to help the community replant missing trees that were taken down during Superstorm Sandy. He read that they will give the township 2,000 seedlings to distribute to residents for free. He explained that to participate in the program, the township must approve to receive and distribute the tree seedlings. They also need to identify a local group or organization to organize, and to provide a plan for how the tree seedlings will be distributed to the residents. Mayor Lubitz noted that the deadline date is March 7, 2014 to submit an application to participate. The Committee Members all agreed this would be a great thing to do for the community.

There was a brief discussion and it was decided that the Mercer County Soil Conservation District office would be the closest location to pick up the seedlings. There was a discussion on how the seedlings could be given out. Deputy Mayor Dodds suggested the second week in April, on the 12<sup>th</sup> at the Horseshoe Bend Park. He noted that the scouts and other volunteers can come help hand them out to the residents. Emergency Management Coordinator, Jack MacConnell noted that the township lost approximately 80 thousand trees during Superstorm Sandy within the township's thirty five square miles.

E-mail from NJ Conservation Foundation

Mayor Lubitz reviewed the e-mail from the New Jersey Conservation Foundation. He explained that this in regards to a charity bike ride called, "Tour De Open Space" which will be held on April 27<sup>th</sup>. He noted that it will begin in Stockton and primarily take place in Delaware Township, but that they would also be riding through the southeast portion of Kingwood Township. The Committee Members had no objections to the charity bike ride, as long as, an insurance certificate is submitted to the township.

**PUBLIC COMMENT – PRIVILEGE OF THE FLOOR**

David Frank – Muddy Run Rd, Commented on the great job the Department of Public Works did plowing the roads this winter. He explained that our road crew did a much better job than other towns.

Frank Floyd, President of the Kingwood Fire Department – Came to talk to the Township Committee regarding the intent they have with the Office of Emergency Management, and the plans for a municipal radio channel. He stated that he came to the meeting to get a better idea of the project and how it will impact the Fire Department. He explained that he would like to work with the township's Emergency Management Coordinator to make this happen. Mayor Lubitz explained that the township has done some investigation with the Fire Department to see how they could all work together to use the existing tower for OEM communication.

Frank Floyd noted that he did some investigating himself, and also spoke to the lessor of the tower and what needs to be put up for a radio system. He noted that they will continue to evaluate and do a study. Mayor Lubitz asked what the time frame would be for obtaining information for the project. Emergency Management Coordinator, Jack MacConnell explained that the township has negated the site of the Kingwood Fire Department's property and it has been decided that the site will be located on the Kingwood Township's Department of Public Works building. He noted that the Fire Department will get chips and a portable radio for the OEM, which will be a frequency so they will be able to contact the DPW, Rescue Squad and the OEM. He explained that there will be an antenna put up at the DPW building at this time, and a tower may come next.

He explained that the township is looking into a grant for the installation of the tower. There was a lengthy discussion regarding the procedure for the radio system. Frank Floyd asked several questions as to what is planned. Emergency Management Coordinator, Jack MacConnell responded. Frank Floyd stated that if things do not work out with the radio system installation at the Department of Public Works, he offered to look into more information as to what would be needed to add to the existing tower on the Fire Departments property.

Mayor Lubitz asked if there was a downside putting it on the tower which exists at the Fire Department in the event the township has a problem with the site at the DPW. Jack MacConnell noted that they could also put a repeater on the tower. He noted that there are so many options to explore. He noted the most important thing is to be able to have the best reception. He feels that the Horseshoe Bend Park would be another good location to put a tower. He noted that way the OEM can communicate with everyone along the river.

Mayor Lubitz suggested that Jack MacConnell and Frank Floyd communicate between each other on what would be best for the system. Frank Floyd noted that he will look into what would be needed for the potential to use the existing tower at the Fire Department.

**Resolution No. 2014-14 – Temporary Emergency Appropriations**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2014 - 14**

**TEMPORARY EMERGENCY APPROPRIATIONS**

**WHEREAS**, 40:4-20 of the Local Budget Law provides that (where contracts, commitments or payments are made prior to the adoption of the 2014 Municipal Budget) temporary emergency appropriations shall be made for the purpose and the amounts required in the manner provided therein and within the time provided; and

**WHEREAS**, one quarter of the total appropriations (exclusive of debt redemption, public assistance and capital improvements) in the 2013 Municipal Budget is \$595,616.45.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that these emergency temporary appropriations be hereby made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

**STREETS AND ROAD MAINTENANCE**

OTHER EXPENSES	\$40,000.00
GASOLINE	\$11,000.00
VEHICLE MAINTENANCE	\$10,000.00
<b>TOTAL TEMPORARY APPROPRIATIONS:</b>	<b>\$453,550.00</b>

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

**Roll Call Vote:**

<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>

**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 **\$556,392.69** that are in order and attached as Bill List for March 2014.

**Roll Call Vote:**

<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:

NJSP Report of January 2014 & February 2014

The Committee reviewed the NJSP Reports and commented on the amount of accidents due to the snow. Deputy Mayor Dodds noted that he noticed that there were not as many accidents this month due to the deer, as there were in the past few months reports.

Emergency Management Coordinator

Jack MacConnell, Emergency Management Coordinator reviewed his report. He noted that there are solutions with Verizon in case of an emergency.

He noted that Verizon is working with the township and explained that if there was an emergency, they are able to put up temporary towers so that there would be service within a day. He noted that he would just need to make a phone call to make this happen. He explained that the generator grant is coming along and they are working on it every day. Jack MacConnell noted that he and Deputy Mayor Dodds met with M&R Communications and explained that they went over the site where they are putting them up. He commented on the Ukarish barn, which is no longer on the property, because it has been taken down and removed. He noted that the Horseshoe Bend Park has been reopened today. He explained that the lower entrance was closed due to the ice buildup on the driveway. He commented on the downstairs door and how it is not functioning well and that something needs to be done. Mayor Lubitz suggested speaking to Mark Fornaciari the township's building inspector regarding the downstairs door and what can be done.

Jack MacConnell also commented on a crack that he noticed in the upstairs bathroom in the men's room. He feels that the building is getting older and not holding up very well and suggested looking into alternative sites for a municipal building. He noted that Hunterdon County has a survey out regarding all the shelters that each municipality provides. He noted that they are not pushing Kingwood for a shelter for now. He explained that if there is an emergency all the libraries are open to the public for heat and to recharge electronics. He explained that Riegel Ridge Community Center and the Hunterdon Division of Public Health Services has facilities. He also explained that this information is broadcasted over radio stations 101.5 and WDVR 89.7. Mayor Lubitz explained that he would like this information also on our website as people do not prepare until an emergency has already happened.

The Committee Members thanked Jack MacConnell for his monthly report.

Animal Control Report of January 2014

Construction Reports of January 2014 and February 2014

Court Report of January 2014

Finance Department:

Budget Report of January 2014

Tax Collector's Report of January 2014

Township Engineer's Report

The Committee Members briefly reviewed the engineer's report.

## **FUTURE MEETINGS AND ACTIVITIES**

Mayor Lubitz reviewed as per the Agenda.

## **ORDINANCES**

**ORDINANCE NO. 18-01-2014 TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BAND (N.J.S.A. 40A:4-45.14)  
-VOL. 18, PG. 18-01 - 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 6<sup>th</sup> day of February, 2014. The Ordinance was published in the Hunterdon County Democrat on February 27, 2014 and has been posted in the Kingwood Township Municipal Building on February 7<sup>th</sup>, 2014. Copies of the Ordinance have been available for inspection by the public since February 7<sup>th</sup>, 2014.

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

Comments: No comments from the public.

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

**ORDINANCE NO. 18 – 01 – 2014**

**CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, NJSA 40A:4-45.1 et seq., provides that in the preparation of its annual budget a municipality shall limit any increase in said budget to one-half percent (.5%) unless authorized by ordinance to increase it to three and one-half percent (3.5%) over the previous year's final appropriations, subject to certain exceptions; and

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

**WHEREAS**, the Township Committee of the Township of Kingwood in the County of Hunterdon finds it advisable and necessary to increase its 2014 budget by up to three and one half percent (3.5%) over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Committee of the Township of Kingwood in the County of Hunterdon hereby determines that a three and one half percent (3.5%) increase in the budget for said year, amounting to \$53,499.26 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Kingwood, in the County of Hunterdon and State of New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2014 budget year, the final appropriations of the Township of Kingwood shall, in accordance with the ordinance and NJSA 40A:4-45.14 be increased by 3.5%, amounting to \$62,415.81, and that the 2014 municipal budget for the Township of Kingwood be approved and adopted in accordance with this ordinance; and

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

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

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

It was moved by Mr. Dodds, seconded by Mrs. Haywood 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>

**ORDINANCE**

**ORDINANCE NO. 18-02-2014 AN ORDINANCE AMENDING CHAPTER 75A, "FEES" OF THE CODE OF THE TOWNSHIP OF KINGWOOD - VOL. 18, PG. 18-02** - 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 6<sup>th</sup> day of February, 2014.

The Ordinance was published in the Hunterdon County Democrat on February 27, 2014 and has been posted in the Kingwood Township Municipal Building on February 7<sup>th</sup>, 2014. Copies of the Ordinance have been available for inspection by the public since February 7<sup>th</sup>, 2014.

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

Comments: No comments from the public.

Mayor Lubitz explained that this ordinance reduces the fees for the annual Clean-Up Program. He explained that the township obtains funds from the State through a Clean Communities grant.

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

**ORDINANCE NO. 18 – 02 - 2014**

**AN ORDINANCE AMENDING CHAPTER 75A, “FEES” OF THE CODE OF THE TOWNSHIP OF KINGWOOD**

**WHEREAS**, the Township Committee has determined to amend certain of the fees payable for cleanup day disposal permits.

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

- 1) The fee set forth in Chapter 75A-2 (J) (2) for a pickup truck load permit shall be changed from \$15 to \$10.
- 2) The fee set forth in Chapter 75A-2 (J) (3) for tire disposal shall be changed from \$3 per tire to \$5 per tire.
- 3) A new section 75A-2 (J) (4) shall be added to read as follows: “Trailer only permit: (Size limitation- no larger than pick-up truck bed and no side extensions; no permit available for the vehicle towing the trailer) \$10.”
- 4) 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.
- 5) All Ordinances 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.

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

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

**ORDINANCE**

**ORDINANCE NO. 18-03-2014 AMENDING CHAPTER 34, RECREATION COMMISSION AND PARKS AND RECREATION COMMITTEE, “FEES” OF THE CODE OF THE TOWNSHIP** – 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. 18-03-2014 AMENDING CHAPTER 34, RECREATION COMMISSION AND PARKS AND RECREATION COMMITTEE, “FEES” OF THE CODE OF THE TOWNSHIP.**

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

Consideration of final adoption at a public hearing is scheduled for Thursday, April 3, 2014 at a meeting beginning at 7:00 P.M. at the municipal building.

**ORDINANCE**

**ORDINANCE NO. 18-04-2014 AMENDING AND SUPPLEMENTING THE LAND USE REGULATIONS OF THE TOWNSHIP, SPECIFICALLY “ZONING, CHAPTER 132” OF THE GENERAL ORDINANCES PERTAINING TO SITE PLAN APPROVALS** – 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. 18-04-2014 AMENDING AND SUPPLEMENTING THE LAND USE REGULATIONS OF THE TOWNSHIP, SPECIFICALLY “ZONING, CHAPTER 132” OF THE GENERAL ORDINANCES PERTAINING TO SITE PLAN APPROVALS.**

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

Consideration of final adoption at a public hearing is scheduled for Thursday, April 3, 2014 at a meeting beginning at 7:00 P.M. at the municipal building.

**RESOLUTIONS**

**Resolution No. 2014-15 - Municipal Alliance Program – Alcoholism and Drug Abuse**

**RESOLUTION NO. 2014 – 15**

**HUNTERDON COUNTY MUNICIPAL ALLIANCE  
FISCAL GRANT CYCLE JULY 2014-JUNE 2019**

**FORM 1B**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Hunterdon;

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Kingwood, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Kingwood Township Committee does hereby authorize submission of a strategic plan for the Delaware Valley Municipal Alliance grant for fiscal year 2014 in the amount of:

DEDR	20,777
Cash Match	5,194
In-Kind	15,582.75

- 2. The Kingwood Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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. 2014-16 - Professional Services Agreements**

**RESOLUTION**

**RESOLUTION NO. 2014 – 16**

**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 these contracts is one year(s); and

**WHEREAS**, each of the Township professionals 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 each submitted proposal; and

**WHEREAS**, each of the Township professionals set forth in Paragraph No. 1 below has completed and submitted a Business Entity Disclosure Certification which certifies that each 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 professionals 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 Professionals as described below:

Professional	Position	Term of Contract
Thomas R. Decker, PC, Van Cleef Eng. Assoc., Inc.	Township Engineer	One year
Chadd Tindall, DMV, Veterinary Service & Clinic	Mobile Veterinary Service	One Year

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

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

**Roll Call Vote:**

<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>

**NEW BUSINESS**

**Raffles License Application – Big Brothers Big Sisters of Hunterdon Somerset & Warren**

The Committee Members reviewed Raffle License Application No. 2014 -01 from Big Brother Big Sisters of Hunterdon Somerset and Warren to hold an on premise prize raffle at the West Hunterdon Lanes in Frenchtown NJ on April 3, 2014 from 6:30 – 8:30pm.

Mayor Lubitz noted that he will not be in the area to attend the Bowl for Kids’ Sake 2014 Mayor’s Challenge. He explained that he was a big brother to a child at one time years ago. He stated that he will respond by contacting the Big Brother Big Sister organization.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve application for Raffle License No. 2014-01 for an on premise prize raffle to be held on April 3, 2014 from 6:30-8:30pm by the Big Brothers Big Sisters of Hunterdon Somerset & Warren, which will be held at the West Hunterdon Lanes in Frenchtown, NJ.

**Roll Call Vote:**

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

Discuss Fingerprinting Requirements for Using Kingwood Parks

Deputy Clerk Keller reported receiving a call from an individual who inquired about fingerprinting requirements for organizations, coaches and volunteers that use the park facilities in the township. The Committee Members noted that there are no State requirements and that it is done through individual organizations themselves. Deputy Mayor Dodds explained the soccer organizations require provision of background information on anyone that plans on being a coach. He explained that there is no fingerprinting required, but a driver's license number is submitted. He noted that they do not actually do a full background check, but they do keep the driver's license number on file in case something does happen. Mayor Lubitz asked, if the township would incur added liability if we have an ordinance that we cannot enforce. Attorney Kopen noted that Kingwood Township does not have an ordinance that enforces fingerprinting. She explained an example from another township and how they need to update it every year.

Discuss Municipal Building Hours on Tuesdays

Mayor Lubitz feels that it has been very well received that the township is open on Tuesday evenings, but that there is not much activity after 7:00p.m. The Committee Members all agreed that evening hours will end at 7:00p.m. Tuesday evenings.

Recommendation from Ag Adv. Comm & Open Space Adv. Comm Re: Federal Trails Funds

Deputy Mayor Dodds explained the recommendations from the Open Space and Ag Advisory Committees. He noted that this is in regard to the Federal Trails Funds which are now available, but are not being released. He explained that the Federal Highway Administration has allocated about \$1 million annually to New Jersey for this program, and has allowed the State to use 10% of that amount to administer the program. He stated that while the 2013 money is sitting idle, local trails initiatives and critical seasonal projects such as a summer youth employment, conservation leadership program and repairs from storm damage are in limbo or cancelled. He feels that New Jersey municipalities are entitled to this federal allocation. He expressed how important it is to restore New Jersey's Recreational Trails Grant Program. The Committees are recommending that the Mayor write a letter to the Commissioner of the NJDEP encouraging him to take action or transfer the responsibility to another program or agency to take care of it temporarily.

Mayor Lubitz stated that he would be happy to send the letter.

**OLD BUSINESS**

Recycling Area Cover/Enclosure

Mayor Lubitz noted that the township has not had any response back from the State at this time.

**APPOINTMENTS**

Planning Board Alternate # 1 – Unexpired Two Year Term Expires 12/31/14

Mayor Lubitz noted that a longtime member of the township’s Environmental Commission has expressed interest to join the Planning Board. He noted that the township is honored to have Lois Voronin on the planning board.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to appoint Lois Voronin as Alternate #1 to the Planning Board for an unexpired term until 12/31/2014.

<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>

Electrical Sub-Code/Inspector – New Four Year Term Expires 3/19/2018

Attorney Kopen noted that if the township would like to discuss anything other than this appointment, a Rice Notice must be sent to the Electrical Sub-Code/Inspector. The expiration date was briefly discussed. Attorney Kopen recommended a Rice Notice be sent to the existing Electrical Sub-Code/Inspector. Mayor Lubitz suggested this be discussed at the Special Township Committee Meeting, which is scheduled on March 10<sup>th</sup>, 2014 at 7:00p.m. Clerk MacConnell will send a Rice Notice to Electrical Sub-Code/Inspector, Dan Longo.

**MINUTES**

February 6, 2014 Special Meeting (5:30PM)

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve the February 6, 2014 Township Committee Special Meeting Minutes.

<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>

February 6, 2014 Special Meeting Executive Session

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve the February 6, 2014 Township Committee Special Executive Session Meeting Minutes.

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

February 6, 2014 Regular Meeting (7:00PM)

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve the February 6, 2014 Township Committee Regular Meeting Minutes with the following corrections:

- 1). Under: Vote to Employ Construction Code Technical Assistant – First word on the fourth line down - replace the word resend with (rescind).
  
- 2). Under: Outside Lighting for Municipal Building – Sixth sentence down in paragraph – States: It was suggested to obtain two price quotes for the outside lampposts, **(one for to be on)** Oak Grove Road side and one in the back of the building. Replace with: It was suggested to obtain two price quotes for the outside lampposts, **(one to be on)** Oak Grove Road side and one in the back of the building.
  
- 3). Under: Outside Lighting for Municipal Building – Last sentence states: It was suggested **(at this time to temporarily obtain quotes for the next meeting)**. Replace with: It was suggested **(to contact the electrician to obtain price quotes for outside lighting near the lower ramp of the municipal building.)**

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

February 6, 2014 Regular Meeting Executive Session

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve the February 6, 2014 Regular Meeting Executive Session minutes.

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

**EXECUTIVE SESSION – RESOLUTION NO. 2013-17**

The following Resolution was introduced to enter into closed session at approximately 8:26P.M.:

**RESOLUTION NO. 2014 –17**

**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 BI 19 L 5  
United Reformed Church BI 12 L 25  
Attorney Advice – OPRA & Common Law Right to Know  
Personnel – Plumbing Sub-Code/Inspector Reappointment  
Possible Litigation – Block 14 Lot 28.01  
Contract Negotiations – HBP MOA & State  
Material from Other DPW**

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.

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<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 Mrs. Haywood, seconded by Mr. Dodds and carried to return to regular session at 10:47P.M. **All** voted **Aye** on **Roll Call Vote**.

**Approve Payment of Title Insurance for United Reform Church Property**

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve to pay the title insurance for the United Reformed Church property in the amount of \$32.45.

<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>

**ADJOURNMENT**

It was moved by Mr. Dodd, seconded by Mrs. Haywood and carried to adjourn the meeting at 9:50P.M. **All** voted **Aye** on **Roll Call Vote**

**Respectfully Submitted,**

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

