

# **KINGWOOD TOWNSHIP COMMITTEE**

## **Regular Meeting Agenda**

**May 1, 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 Kingwood Twp School re: Social Studies Award  
Letter from SADC re: On-Farm Direct Marketing Agricultural Mgt Practice  
Thank You Letter from NJWSA re: Kingwood Park Clean Up and Native Planting  
Recreational Trails Grant Announcement  
Memo from State Dept. of Ed re: Allocation of Equalized Valuation

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

### **Resolution No. 2014-31 – Temporary Appropriations**

### **Bills and Claims**

### **Reports**

NJSP Report  
Emergency Management Coordinator  
Animal Control Report of March 2014  
Construction Reports of  
Court Report of March 2014

## **May 1, 2014 Kingwood Township Committee Agenda Continued**

### **Reports Continued**

Finance Department:

Budget Report of March 2014

Tax Collector's Report of March 2014

Township Engineer's Report

Baptistown Post Office Survey Results

Kingwood Park Native Planting

### **Future Meetings & Activities**

- May 4 -** Rutgers Coop Extension of Hunterdon County, Open House at Rte 12 Complex, Bldg #2, 12:00pm-3:00pm
- May 10 -** Recycling at Twp Garage at 255 Union Rd from 9:00am-12:00noon
- May 10 -** Clean Up Program at Twp Garage at 255 Union Rd from 9:00am-12:00noon, permit required
- May 13 -** Last Day to Register to Vote in June Primary Election
- May 27 -** Last Day to apply **by mail** for a Mail-In Ballot for June Primary Election
- June 1 -** Bocci Tournament at Kingwood Park, beginning at 1:00pm
- June 5 -** Regular, Monthly Meeting of Twp Com at Municipal Bldg., beginning at 7:00pm

### **Ordinances**

**Ordinance No. 18-05-2014 Providing For The Appropriation For The Cost Of The Acquisition Of Block 12, Lot 25, Appropriating \$1,090,000.00 Therefor From A Grant In The Amount Of \$590,000.00 From New Jersey Department Of Environmental Protection, Green Acres And The Hunterdon County Municipal Non-Profit Grant Program In The Amount Of \$500,000 – Public Hearing and Final Adoption**

**Ordinance No. 18-06-2014 Fixing The Salaries And Compensation Of The Various Officers And Employees Of The Township – Introduction And Adoption on First Reading**

### **Resolutions**

**Resolution No. 2014-32 – Recycling Tonnage Grant**

**Resolution No. 2014-33 – Reimbursement for Security Deposit (North Jersey Kennel Club LLC)**

**Resolution No. 2014-34 – Reimbursement for Hlth Inspection (North Jersey Kennel Club LLC)**

**Resolution No. 2014-35 – Reimbursement for Security Deposit (International Canine Kennel Club)**

**Resolution No. 2014-36 – Refund of Excess Dog License Fees (Reim)**

**Resolution No. 2014-37 – Refund of Excess Dog License Fees (Sparatta)**

**Resolution No. 2014-38 – Refund of Tax Overpayment Bl 14.01 L 28.02**

**Resolution No. 2014-39 – Refund of Tax Overpayment Bl 15.01 L 1**

**Resolution No. 2014-40 – Authorize Cancellation of Municipal Certificate of Sale**

## May 1, 2014 Agenda Continued

### Resolutions Continued

**Resolution No. 2014-41** – Authorize Community Day Fireworks Display

**Resolution No. 2014-42** – Authorize Donation to Wheels For Wishes

**Resolution No. 2014-43** – Awareness of Fibrodysplasia Ossificans Progressiva

**Resolution No. 2014-44** – American Cancer Society Relay for Life

**Resolution No. 2014-45** – Professional Services Agreements – Auditor, Planning Bd and Zoning Bd of Adj Attorney, Hydrogeologist, Bond Counsel

### New Business

Municipal Budget – Introduction and Adoption on First Reading

**Resolution No. 2014-48** – Deferral of Taxes DVRHS

**Resolution No. 2014-49** – Deferral of Taxes KTS

**Resolution No. 2014-50** – Cable TV Franchise Fee

**Resolution No. 2014-51** – NJDEP Recreation Trails Programs

Resolution to Adopt Budget for Introduction

Recommendation from Twp Eng re: Maintenance & Repair Materials Bids &

**Resolution No. 2014-46**

Raffles License Applications – Our Lady of Victories RC Church

Hunterdon County Community Day Invitation

Discuss Municipal Court Room

Discuss Amendments to Employee Handbook and Personnel Policies

### Appointments

Board of Health – Citizen Member Expires 12-31-2017

Planning Board - Alternate #2 Expires 12-31-2015

Construction Code Technical Assistant – Unexpired One Year Term

### Old Business

Recycling Area Cover/Enclosure

COAH Update

Discuss Repairs to Municipal Building – Septic, Downstairs Entrance, Lighting

### Minutes

April 3, 2014 Regular Meeting

April 3, 2014 Executive Session

April 8, 2014 Special Meeting (Budget)

### Burning Permits

### Church Property Update

Letter and Attachments from Byram Lane Residents re: Flood Prevention **Resolution No. 2014 - 52**

## **May 1, 2014 Agenda Continued**

### **Executive Session – Resolution No. 2014 – 47**

Contract Negotiations - United Reformed Church Bl 12 L 25  
Rental Unit at Former Melnyk Property  
DPW Agreement w Local Union 469  
Possible Litigation – Block 14 Lot 28.01  
April 3, 2014 Executive Sessions Meeting Minutes Review

### **Return to Regular Session**

April 3, 2014 Executive Session Meeting Minutes

### **Adjournment**

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

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May 1, 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 Richard Cushing, 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:

**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 Kingwood Twp School re: Social Studies Award

Mayor Lubitz briefly reviewed the letter from the Kingwood Township School requesting the township sponsor an award and plaque to an eighth grader who has achieved in Social Studies. The Committee Members all agreed to sponsor the award and plaque, which will total the amount of \$63.50. Mayor Lubitz stated that he will be available to attend the Awards Banquet on June 9<sup>th</sup>, 2014 at 7:00PM at the Kingwood School and present the award.

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve to sponsor an award and plaque in the amount of \$63.50 to an eighth grader who has achieved in Social Studies at the Kingwood Township School and to present the award on June 9<sup>th</sup>, 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>                   |

Letter from SADC re: On-Farm Direct Marketing Agricultural Mgt. Practice

Mayor Lubitz briefly reviewed the letter from the SADC regarding On-Farm Direct Marketing Agriculture Management Practice. He noted that there have been some changes to the regulations for local farm stands. He requested that this information be sent to the local farm stands informing them of the update.

Thank You Letter from New Jersey Water Supply Authority re: Kingwood Park Clean Up and Native Planting

Mayor Lubitz read aloud a thank you letter from Bob O’Neil, Principal Watershed Protection Specialist, who thanked everyone who volunteered at the Kingwood Park on April 5<sup>th</sup> for the cleanup and native planting of the willow trees along the creek. Mayor Lubitz personally wanted to thank all the volunteers who helped out on that day.

Recreational Trails Grant Announcement

Mayor Lubitz reviewed a news release from the New Jersey Department of Environmental Protection regarding the Governor’s Administration, announcing that they are distributing \$755,000 in Recreational Trail Grants to 39 applicants. He explained that Kingwood Township was one of the applicants to receive this grant, which is for the Horseshoe Bend Park-Trail Restoration in the amount of \$23,978.00.

Memo from State Dept. of Ed re: Allocation of Equalized Valuation

Mayor Lubitz reviewed the memo from the New Jersey State Department of Education regarding the 2014-2015 municipal percentage shares for tax levies for regional school districts and districts merged. He explained the allocation of equalized valuation for the township’s elementary school enrollment amount, and the Regional enrollment amount as of October 15, 2013. He noted that this is an odd formula which takes into account not only the number of students that Kingwood Township sends to Del Val High School, but also the generalized equalized value of the real estate in our township compared to other townships. He explained that this also includes the enrollment in our township’s elementary school. Mayor Lubitz feels that this tends to throw the cost off and explained an example, which is not exactly equal to Kingwood Township.

**PUBLIC COMMENT – PRIVILEGE OF THE FLOOR**

David Frank, 17 Muddy Run Road, Commented on how he is still not happy with the loud sound that is coming from the Solar Farm across the road from his property. He noted that he spoke with the township engineer, who stated he visited the site. He stated that the engineer sent a report that stated there was no sound. Mr. Frank stated that this is not true, that the sound is louder than ever and feels a sound test should be conducted. He stated that he will be at the Planning Board meeting that is scheduled on May 8<sup>th</sup>.

Mayor Lubitz feels that the township's zoning official should visit the site and obtain measurements of the sound. Then the township would have something to work with to bring to the developer.

Mr. Frank feels the sound measurements should be done more than one time as the wind and sound is different on different days. The Township Committee suggested that Mr. Frank speak to the zoning official on Tuesday evening at 5:00pm. Mayor Lubitz noted that the township planner is overseeing the landscaping for the solar farm and will speak to him as soon as possible.

Pat Gary, Muddy Run Rd, Commented that she also lives right across from the solar farm and stated that the noise from the fans are very loud. She stated that the closer you get to the property the lower the noise level. She explained that the noise was so loud last summer, that she could not enjoy sitting on her front porch. She suggested that the township conduct sound measures in different locations surrounding the solar farm, because the sound travels different each day.

The Committee Members noted that they will contact the township engineer to set up a date for sound tests. Pat Gary also had questions regarding the solar farms and property tax liability. Mayor Lubitz noted that these solar facilities are not taxed as farms, but that they will pay on the structures excluding the panels. He noted that these solar facilities are not tax exempt.

Tom Burke, Barbertown Point Breeze Road, Commented on the berm the township put in on Barbertown Point Breeze Road. He expressed that he is not very happy, because when there are heavy rain storms, he has a lake across the back of his property. He noted that he originally suggested that the township put a pipe in that area, but that this was not done. He explained that he was advised to attend a Planning Board meeting. Mr. Burke, also expressed that he was not happy with the loud sounds from the solar farm.

Jim Sherron, Lower Oak Grove Road, Commented on the Route 12 Corridor Project Plans. He feels that the 50 mph speed limit is getting higher, meaning that drivers go 55 to 60 mph. He explained that his business is essentially in Baptistown, but that the speed limit is 50mph and feels that the speed limit should be lowered on Route 12 entering into the town. He explained that the speed limit is 25 mph at the intersections entering into Baptistown along Route 519 coming from both directions. The Township Committee agreed that the speed should be lowered on Route 12 entering Baptistown. Mayor Lubitz noted that the township will investigate this with the state. Jack MacConnell, Emergency Management Coordinator noted that the state will need to do a survey first before lowering the speed on a state highway.

## **RESOLUTION**

### **Resolution No. 2014-31 – Temporary Appropriations**

**RESOLUTION NO. 2014 – 31**

**2014 TEMPORARY APPROPRIATIONS**

**WHEREAS**, the 2014 Budget of the Township of Kingwood has not been adopted and the appropriations provided for in Resolution No. 2014-02 are insufficient to cover the expenses in May of 2014; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Temporary 2014 Budget Appropriations be raised by the statutory one-twelfth (1/12<sup>th</sup>).

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>                   |

**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 **\$1,719,961.22** that are in order and attached as Bill List for May 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>                   |

**REPORTS**

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

NJSP Report  
Emergency Management Coordinator

EMC, Jack MacConnell reported on the damages from yesterday's rain. He reviewed several pictures that were taken of Barbertown Point Breeze Road, Stanbury Lane, and where it meets Muddy Run Road coming across the roadway with 6 to 8 inches deep of water. He also showed pictures of the Ukarish property where the barn was taken down.

He stated that there was no flooding along Byram Colony along the river. He reported road damage along Stomph Tavern, Kingwood Station and Tumble Falls Roads. He feels that the engineer needs to look at these roads to be worked on in the future. He noted that the State Police were very helpful during the recent storm. He thought perhaps they could help with patrolling Route 12, by watching out for those speeding along the Baptistown intersection. There was also a discussion regarding speeding and the amount of potholes on Barbertown Point Breeze Road.

Tony DeAngelo, Oak Grove Rd, Asked if there is any way he would be able to work on the ditch near his house without having a problem with the NJDEP. He also commented on the speeding along his road.

He also asked what the laws are for animals and how close they can be to a residence. He explained how a neighbor is allowing this to happen, which is attracting rats and other animals to the area. Attorney Cushing suggested that he contact the Hunterdon County Health Department, as this is a health hazard. He also suggested that Mr. DeAngelo contact the township's zoning/code enforcement official, who would determine if there are any zoning or general code violations.

The Township Committee thanked Jack MacConnell for his thorough report.

Animal Control Report of March 2014

Construction Reports of

Court Report of March 2014

Finance Department:

Budget Report of March 2014

Tax Collector's Report of March 2014

Township Engineer's Report

Mayor Lubitz noted that all the material necessary for a new tax map has been provided.

Baptistown Post Office Survey Results

Mayor Lubitz reviewed the survey results. He noted that there will be new hours for the Baptistown Post Office starting June 1<sup>st</sup>. The building will still be open from 8:00A.M to 5:00P.M. for P.O. box mail pickup. The new window hours will be open six hours a day from 8:00A.M. to 12:00noon and from 2:30P.M. until 4:30P.M. The building will be closed for lunch from 12:00noon until 2:30P.M. Hours on Saturday will be from 8:00A.M. until 12:00Noon.

Kingwood Park Native Planting

Mayor Lubitz briefly reviewed.

## **FUTURE MEETINGS AND ACTIVITIES**

Mayor Lubitz reviewed as per the Agenda.

## **ORDINANCES**

**ORDINANCE NO. 18-05-2014 PROVIDING FOR THE APPROPRIATION FOR THE COST OF THE ACQUISITION OF BLOCK 12, LOT 25, APPROPRIATING \$1,090,000.00 THEREFOR FROM A GRANT IN THE AMOUNT OF \$590,000.00 FROM NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES AND THE HUNTERDON COUNTY MUNICIPAL NON-PROFIT GRANT PROGRAM IN THE AMOUNT OF \$500,000 -VOL. 18, PG. 18-05** - 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 3<sup>rd</sup> day of April, 2014. The Ordinance was published in the Hunterdon County Democrat on April 10, 2014 and has been posted in the Kingwood Township Municipal Building on April 4, 2014. Copies of the Ordinance have been available for inspection by the public since April 4, 2014.

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

Comments: There were a few questions from the public. David Frank, Muddy Run Rd asked the purpose of purchasing this property. Mayor Lubitz and Deputy Mayor Dodds responded. Mayor Lubitz explained that the purpose of purchasing this property was mostly due to the proximity to Horseshoe Bend Park, and that it has historical significance. Deputy Mayor Dodds explained that it will be utilized by the Scouts, Hunters and other organizations, which will generate revenue raised through activities. He explained that this is done at all the parks. He explained that no funds were allocated from the township budget to purchase this property.

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 – 05 – 2014**

**AN ORDINANCE PROVIDING FOR THE APPROPRIATION FOR THE COST OF THE ACQUISITION OF BLOCK 12, LOT 25, APPROPRIATING \$1,090,000.00 THEREFOR FROM A GRANT IN THE AMOUNT OF \$590,000 FROM NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES AND THE HUNTERDON COUNTY MUNICIPAL NON-PROFIT GRANT PROGRAM IN THE AMOUNT OF \$500,000.00.**

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

- SECTION 1. The improvement described in Section 3 of this ordinance is hereby authorized as a general improvement to be made or acquired by the Township of Kingwood, New Jersey.

For the said improvement and purposes described in Section 3, there is hereby appropriated the sum of \$1,090,000.00 said sum being inclusive of all appropriations heretofore made therefor.

SECTION 2. In order to finance the cost of the improvements and purpose there is hereby appropriated the sum of \$1,090,000.00 which is being funded by a grant from the New Jersey Department of Environmental Protection, Green Acres, in the amount of \$590,000.00 and the Hunterdon County Municipal Non-Profit Grant Program in the amount of \$500,000.00.

SECTION 3. The improvement hereby authorized is the acquisition of Block 12, Lot 25 on the tax map of the Township consisting of 106 acres in Kingwood Township, including all costs necessary therefore or incidental thereto.

SECTION 4. The said purpose described in Section 3 of this ordinance is not a current expense and is an improvement which the Township may lawfully acquire or make as a general improvement.

SECTION 5. The capital budget of the Township of Kingwood is hereby amended, to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget as approved by the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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>                   |

**ORDINANCE**

**ORDINANCE NO. 18-06-2014 AN ORDINANCE FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP** – Introduction and Adoption on First Reading

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

The Committee Members requested that there be no salary increase for the Mayor and Township Committee Members.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to adopt on first reading **ORDINANCE NO. 18-06-2014 AN ORDINANCE FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP WITH AMENDMENTS.**

|                        |                |                                 |
|------------------------|----------------|---------------------------------|
| <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>                   |

**Consideration of final adoption at a public hearing is scheduled for Thursday, June 5, 2014 at a meeting beginning at 7:00 P.M. at the municipal building.**

**RESOLUTION**

**Resolution No. 2014-32 – Recycling Tonnage Grant**

**RESOLUTION NO. 2014 - 32**

**RECYCLING TONNAGE GRANT**

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

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

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

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

**WHEREAS**, a resolution authorizing this municipality to apply for the 2013 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of the Kingwood Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

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

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

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

It was moved by Mr. Dodds, 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>                   |

**RESOLUTION**

**Resolution No. 2014-33 – Reimbursement for Security Deposit (North Jersey Kennel Club LLC)**

**RESOLUTION NO. 2014 - 33  
REIMBURSEMENT FOR SECURITY DEPOSIT**

**WHEREAS**, the North Jersey Kennel Club, LLC, 128 Flanders Drakestown Rd, Flanders, NJ 07836 rented the Morton Building facility at the Horseshoe Bend Park on Horseshoe Bend Road for a dog club event on Saturday, April 5, 2014 and Sunday April 6, 2014; and

**WHEREAS**, the Township of Kingwood requested a security deposit from the North Jersey Kennel Club, LLC for the use of the facility for April 5, 2014 and April 6, 2014 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 the North Jersey Kennel Club, LLC 128 Flanders Drakestown Rd, Flanders, NJ 07836.

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**

**Resolution No. 2014-34 – Reimbursement for Health Inspection (North Jersey Kennel Club LLC)**

**RESOLUTION NO. 2014 - 34**

**REIMBURSEMENT FOR COUNTY HEALTH INSPECTION**

**WHEREAS**, the North Jersey Kennel Club, LLC from Flanders, NJ rented the Morton Building facility at the Horseshoe Bend Park on Horseshoe Bend Road for a dog club event on Saturday, April 5, 2014 and Sunday, April 6, 2014; and

**WHEREAS**, the Township of Kingwood requested the North Jersey Kennel Club obtain a Temporary Food License Permit for the food to be served at the Horseshoe Bend Park on April 5, 2014 and April 6, 2014 in the amount of \$125.00; and

**WHEREAS**, the County of Hunterdon was not informed of the payment given to the Township for the Temporary Food License Permit and the licensed area where the food was served was not inspected by the County.

**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 \$125.00 for the cost to have the area inspected by the County of Hunterdon at the Horseshoe Bend Park to the North Jersey Kennel Club, LLC from Flanders, 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**

**Resolution No. 2014-35 – Reimbursement for Security Deposit (International Canine Kennel Club)**

**RESOLUTION NO. 2014 - 35  
REIMBURSEMENT FOR SECURITY DEPOSIT**

**WHEREAS**, the International Canine Kennel Club of Weeki Wachee Fl rented the Morton Building facility at the Horseshoe Bend Park on Horseshoe Bend Road for a dog club event on Saturday, April 26, 2014 and Sunday April 27, 2014; and

**WHEREAS**, the Township of Kingwood requested a security deposit from the International Canine Kennel Club for the use of the facility for April 26, 2014 and April 27, 2014 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 International Canine Kennel Club of Weeki Wachee Fl.

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>                   |

**RESOLUTION**

**Resolution No. 2014-36 – Refund of Excess Dog License Fees (Reim)**

**RESOLUTION NO. 2014 – 36**

**REFUND OF EXCESS DOG LICENSING FEES**

**WHEREAS**, the Dog Licensing Official received from Norman Reim an excess amount of \$3.00 for the renewal of a 2014 Dog License.

**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 Norman Reim, 180 Kingwood Station Road, Frenchtown, New Jersey, 08825.

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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**

**Resolution No. 2014-37 – Refund of Excess Dog License Fees (Sparatta)**

**RESOLUTION NO. 2014 – 37**

**REFUND OF EXCESS DOG LICENSING FEES**

**WHEREAS**, the Dog Licensing Official received from John and Marilyn Sparatta an excess amount of \$6.00 for the renewal of a 2014 Dog License.

**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 John and Marilyn Sparatta, 471 Barbertown Point Breeze Road, Frenchtown, New Jersey, 08825.

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**

**Resolution No. 2014-38 – Refund of Tax Overpayment Bl 14.01 L 28.02**

**RESOLUTION NO. 2014 – 38**

**REFUND OF TAX OVERPAYMENT**

**WHEREAS**, as a result of the 2013 audit it has been determined that the property owner of Block 14 Lot 28.02 is entitled to a refund of the overpayment of his 2011 taxes.

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**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 Horseshoe Bend LLC, c/o Frank Palopoli, PO Box 159, 1017 Lorien, Gwynedd Valley, PA, 19437 in the amount of \$15,465.01.

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>                   |

**RESOLUTION**

**Resolution No. 2014-39 – Refund of Tax Overpayment Bl 15.01 L 1**

**RESOLUTION NO. 2014 – 39**

**REFUND OF TAX OVERPAYMENT**

**WHEREAS**, there remains a credit on Block 15.01, Lot 1 for the third quarter of 2011 in the amount of \$61.46.

**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 Mildred Goodman and Sherry Hans, et al., 39 Park Road, Plainsboro, NJ, 08536, in the amount of \$61.46.

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>                   |

**RESOLUTION**

**Resolution No. 2014-40 – Authorize Cancellation of Municipal Certificate of Sale**

**RESOLUTION NO. 2014 – 40**

**RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE**

**WHEREAS**, Certificate of Sale #12-008 was issued the Township of Kingwood for delinquent taxes on Block 40, Lot 21, assessed to McHenry, Christine and Blanche Ross, at a tax sale held on July 18, 2012; and

**WHEREAS**, the owner of a prior tax sale certificate #11-009 has redeemed Certificate of Sale #12-008 by paying the full amount of the delinquency.

**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 Mayor and Municipal Clerk of the Township of Kingwood, County of Hunterdon and State of New Jersey are hereby authorized to endorse Certificate of Sale #12-008 for cancellation.

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**

**Resolution No. 2014-41 – Authorize Community Day Fireworks Display**

**RESOLUTION NO. 2014 - 41**

**SEPTEMBER 20, 2014 FIREWORKS DISPLAY**

**WHEREAS**, the Kingwood Township Parks & Recreation Committee has scheduled "Kingwood Community Day" on September 20, 2014; 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 20, 2014, rain date September 21, 2014, 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.

|                        |                |                                 |
|------------------------|----------------|---------------------------------|
| <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**

**Resolution No. 2014-42 – Authorize Donation to Wheels For Wishes**

**RESOLUTION NO. 2014 - 42**

**RESOLUTION AUTHORIZING DONATION OF SURPLUS PERSONAL PROPERTY  
TO WHEELS FOR WISHES FOUNDATION OF NEW JERSEY**

**WHEREAS**, the Mayor and Committee of the Township of Kingwood have determined that the Township is in possession of certain surplus personal property that is no longer needed for public use, specifically a 1982 Chevy pick-up truck, VIN number 1GCBS14B3C2171919 (the “Property”); and

**WHEREAS**, the State of New Jersey permits the disposal of surplus property no longer needed for public use pursuant to the Local Public Contract Law, N.J.S.A. 40A:11-36; and

**WHEREAS**, the Mayor and Committee finds that the Property holds no value and recommends that the Property be donated to the Wheels for Wishes Foundation of New Jersey, a registered non-profit corporation; and

**WHEREAS**, the Mayor and Committee finds it in the best interest of the community to donate the Property to the Wheels for Wishes Foundation of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the 1982 Chevy pick-up truck, VIN number 1GCBS14B3C2171919 is hereby declared to be surplus personal property of the Township.

**BE IT FURTHER RESOLVED** that the Property will be donated to the Wheels for Wishes Foundation of New Jersey.

**BE IT FURTHER RESOLVED** that the Property will be donated in its “as is” condition, without any warranties by the Township, and on the condition that the Recipient shall hold the Township harmless for any claims arising out of the Property after the transfer to the Recipient.

**BE IT FURTHER RESOLVED** that the donation of the Property to the Recipient shall be subject to the execution of an agreement between the respective parties in a form approved by the Township Attorney, which shall memorialize the terms stated in this resolution.

**BE IT FURTHER RESOLVED** that the Mayor or his designee are hereby authorized to execute any and all additional documents to effectively transfer title to the Recipient.

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**

**Resolution No. 2014-43 – Awareness of Fibrodysplasia Ossificans Progressiva**

**RESOLUTION NO. 2014 - 43**

**RAISING AWARENESS OF  
FIBRODYSPLASIA OSSIFICANS PROGRESSIVA**

**WHEREAS**, Fibrodysplasia Ossificans Progressiva is an illness characterized by normal bone forming in muscles and connective tissue, forming an extra skeleton that immobilizes the body; and

**WHEREAS**, Fibrodysplasia Ossificans Progressiva affects children, usually in the first or second decade of life being diagnosed by the age of ten, depriving them of normal development; and

**WHEREAS**, it is estimated that 2,500 people worldwide are afflicted with Fibrodysplasia Ossificans Progressiva, with 200 diagnosed cases in the United States and 12 cases in New Jersey; and

**WHEREAS**, currently, the University of Pennsylvania is the only medical research facility investigating a cure for Fibrodysplasia Ossificans Progressiva; and

**WHEREAS**, numerous states, countries and international organizations have joined together to increase public awareness of this devastating, rare genetic disorder, to promote research to find the cure; and

**WHEREAS**, the Township Committee of the Township of Kingwood wishes to help to increase awareness of Fibrodysplasia Ossificans Progressiva and to provide public support to find a cause and a cure for this devastating disorder.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey wishes to raise awareness of this devastating disease and support research to find a cause and cure for **Fibrodysplasia Ossificans Progressiva**. We urge all residents of Kingwood Township to learn about this devastating disorder with the hope of developing a treatment and cure.

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>                   |

**RESOLUTION**

**Resolution No. 2014-44 – American Cancer Society Relay for Life**

**RESOLUTION NO. 2014 – 44  
RELAY FOR LIFE OF HUNTERDON PROCLAMATION**

**WHEREAS**, Relay For Life is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer; and

**WHEREAS**, money raised during Relay For Life of Hunterdon County supports the American Cancer Society’s mission of saving lives and creating a world with less cancer and more birthdays - by helping people stay well, by helping people get well, by finding cures for cancer and by fighting back; and

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**WHEREAS**, Relay For Life helped fund more than \$150 million in cancer research last year;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Kingwood, Hunterdon County and State of New Jersey, do hereby proclaim June 13<sup>th</sup> and 14<sup>th</sup> of 2014 as,

**“RELAY FOR LIFE DAYS”**

in Hunterdon County and encourage citizens to participate in the Relay For Life Event at Hunterdon Central High School on June 13<sup>th</sup> and 14<sup>th</sup>, 2014.

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**

**Resolution No. 2014 - 45 – Professional Services Agreements – Auditor, Planning Bd and Zoning Board of Adjustment Attorney, Hydrogeologist, Bond Counsel**

**RESOLUTION NO. 2014 – 45**

**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 |
|---|--|------------------|
| William M. Colantano, Jr., PC                                 | Township Auditor                               | One year         |
| David R. Pierce, Lindabury, McCormick, Estabrook & Cooper, PC | Planning Bd & Zoning Bd of Adjustment Attorney | One year         |
| Andrea L. Kahn, McManimon, Scotland & Baumann, LLC            | Bond Counsel                                   | One Year         |
| Vincent W Uhl, Uhl & Associates, Inc                          | Hydrogeologist                                 | 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**

Municipal Budget – Introduction and Adoption on First Reading

**Resolution No. 2014-48 – Deferral of Taxes DVRHS**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2014 – 48**

**DEFERRAL OF TAXES  
DELAWARE VALLEY REGIONAL HIGH SCHOOL**

**WHEREAS**, regulations of the State of New Jersey provide for the deferral of school taxes in an amount not to exceed fifty percent of the annual school tax levy when such taxes are raised on a fiscal year basis (school year July 1 through June 30); and

**WHEREAS**, said taxes subject to deferral have not been requisitioned by or paid to the school district; and

**WHEREAS**, it is the desire and intent of the Township Committee of the Township of Kingwood, County of Hunterdon, to avail the Township of the deferral as permitted by regulations promulgated by the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs; and

**WHEREAS**, fifty percent of the school tax levy of the Delaware Valley Regional High School District is \$1,791,075.00;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Kingwood, County of Hunterdon, hereby authorizes the Chief Financial Officer of the Township to defer \$859,716.00 of school taxes as permitted by the aforementioned regulation; and

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be forwarded to the Chief Financial Officer of the Township and the Director of the Division of Local Government Services, Department of Community Affairs.

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. 2014-49 – Deferral of Taxes KTS**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2014 – 49**

**DEFERRAL OF TAXES  
KINGWOOD TOWNSHIP SCHOOL**

**2014 – 113**

**WHEREAS**, regulations of the State of New Jersey provide for the deferral of school taxes in an amount not to exceed fifty percent of the annual school tax levy when such taxes are raised on a fiscal year basis (school year July 1 through June 30); and

**WHEREAS**, said taxes subject to deferral have not been requisitioned by or paid to the school district; and

**WHEREAS**, it is the desire and intent of the governing body of the Township of Kingwood, County of Hunterdon, to avail the Township of the deferral as permitted by regulations promulgated by the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs; and

**WHEREAS**, fifty percent of the school tax levy of the Kingwood School District is \$2,755,104.00;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Kingwood, County of Hunterdon, hereby authorizes the Chief Financial Officer of the Township to defer \$1,322,444.92 of school taxes as permitted by the aforementioned regulation; and

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be forwarded to the Chief Financial Officer of the Township and the Director of the Division of Local Government Services, Department of Community Affairs.

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. 2014-50 – Cable TV Franchise Fee**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2014 – 50**

**CABLE TV FRANCHISE FEE**

**WHEREAS**, the Township of Kingwood desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$9,536.00; and

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2014 Budget under the following caption:

**2014 – 114**

Cable TV Franchise Fee

**BE IT FURTHER RESOLVED** that TWO certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services.

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>                   |

**Resolution No. 2014-51 – NJDEP Recreation Trails Programs**

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2014 – 51**

**NJDEP RECREATION TRAILS PROGRAMS**

**WHEREAS**, the Township of Kingwood desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$23,978.00; and

**THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2014 Budget under the following caption:

Department of Environmental Protection-Recreation Trails Programs

**BE IT FURTHER RESOLVED** that TWO certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services.

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>                   |

Resolution to Adopt Budget for Introduction

Mayor Lubitz stated that there will be a full presentation of the Municipal Budget at the township’s next meeting scheduled on June 5, 2014 at 7:00P.M. He noted that this evening the Municipal Budget will be introduced.

Mayor Lubitz read aloud the Budget Resolution which was adopted on first reading.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to introduce the Municipal Budget for 2014 on first reading.

|                        |                |                                 |
|------------------------|----------------|---------------------------------|
| <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>                   |

Recommendation from Twp. Eng. Re: Maintenance & Repair Materials Bids & Resolution No. 2014 – 46

Mayor Lubitz noted that the township combines along with Franklin, and Delaware Townships to go out for bids for various road materials.

He stated that Delaware Township was in charge of obtaining the bids this year. The Township Committee reviewed the recommendations from the Township’s Engineer.

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2014 - 46**

**RESOLUTION TO AWARD BIDS for ROAD MATERIALS**

**WHEREAS**, Delaware Township advertised for and on Thursday, April 17, 2014 received and opened bids on behalf of the Townships of Franklin, Delaware and Kingwood for the 2014 Road Maintenance and Repair Program; and

**WHEREAS**, the bid summary was reviewed by the Kingwood Township Engineer as is reflected in his report of April 30, 2014; and

**WHEREAS**, according to the report of the Township Engineer dated April 30, 2014 (Exhibit A, attached hereto and made a part hereof), the lowest responsible bidder together with each bid price for all maintenance and repair materials items applicable to Kingwood Township for which qualified bids were received, is as set forth in Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Kingwood, that:

The contracts for road maintenance and repair materials as to items #3, 6, 9, 12, 13, 14, 15, 16, 19, 24, 29, 32, 33, 34, 36, 38, 40, 42, 44, 46, 47, 48, 49,54,55,56,57,59 and 62 on Exhibit A, the Township Engineer’s report of April 30, 2014, are awarded to the bidders set forth and for the amounts set forth on the attached Exhibit A.

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>                   |

Raffles License Applications – Our Lady of Victories RC Church

The Committee Members reviewed Raffle License No 2014 – 05 On Premise Cash 50/50 Raffle to be conducted on June 8, 2014 from 1:00pm until 4:00pm at Our Lady of Victories RC Church 1007 Hwy. 519 Frenchtown, NJ 08825.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve Raffle License No 2014 – 05 for an On Premise Cash 50/50 Raffle to be conducted on June 8, 2014 from 1:00pm until 4:00pm at Our Lady of Victories RC Church 1007 Hwy. 519 Frenchtown, NJ 08825.

|                        |                |                                 |
|------------------------|----------------|---------------------------------|
| <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>                   |

Hunterdon County Community Day Invitation

Mayor Lubitz reviewed.

Discuss Municipal Court Room

Mayor Lubitz reviewed a request from the Township’s Court Administrator. He noted that the request is for a private room near the courtroom, where the court prosecutor would be able to have private conversations with clients and attorneys. The Committee Members expressed that they will work on making an area in the near future for that purpose.

Discuss Amendments to Employee Handbook and Personnel Policies

The Committee Members reviewed the changes to the health benefits in the Employee Handbook and Personnel Policies Manual. Mayor Lubitz read aloud the changes, which are under Health Benefits: Medical Coverage: The Township of Kingwood participates in a group health insurance program and employees working at least an average of (30) hours per week, throughout the year (for employees hired after 4-3-2014) are eligible to enroll in the plan. Deputy Mayor Dodds noted that the change went from 25 hours per week to 30.

**APPOINTMENTS**

Board of Health – Citizen Member Expires 12-31-2017

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to appoint Dr. Charles L. King to an unexpired term to expire on 12/31/2017 as a Citizen Member of the Board of Health.

|                        |                |                                 |
|------------------------|----------------|---------------------------------|
| <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>                   |

Planning Board - Alternate #2 Expires 12-31-2015

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to appoint Christopher Ely to the Planning Board as Alternate #2 Member for a term to expire on 12/31/2015.

|                        |                |                                 |
|------------------------|----------------|---------------------------------|
| <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>                   |

Deputy Mayor Dodds noted that he spoke to Christopher Ely, and noted that he may also be interested in joining the Agriculture Advisory Committee in the future.

Construction Code Technical Assistant – Unexpired One Year Term

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to appoint Mark Fornaciari, Construction Code Technical Assistant for an unexpired one year term until 12/31/2014 for 12 hours per week as previously established, effective 5-6-2014 with a probation period of 90 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>                   |

**OLD BUSINESS**

Recycling Area Cover/Enclosure

Mayor Lubitz noted that there is nothing new to report at this time. A resident from Oak Grove Road suggested the township look into having a polytech class build an enclosure. Mayor Lubitz thanked the resident, and stated it is a very good idea, but the township has approval to utilize clean communities funds.

COAH Update

Mayor Lubitz noted that the Housing Board will be meeting this Monday, May 5, and that he will be able to report more information at next month’s meeting. He stated that COAH has new rules and obligations for towns and it may be based on the amount of open land in a town, which may affect Kingwood Township.

He explained that the township has ended their relationship with Raritan Valley Habitat for Humanity, but that the township has been speaking to some other non-profit organizations.

Discuss Repairs to Municipal Building – Septic, Downstairs Entrance, Lighting

The Township Committee discussed repairs that need to be done to the municipal building. Mayor Lubitz noted that the budget will fund some of the repairs. Deputy Mayor Dodds explained that the repair to the septic system will be worked on first, as it needs to be repaired as soon as possible. He noted that the Department of Public Works for the township will be doing part of the repair. Mayor Lubitz would like to speak to the township’s engineer regarding the repairs for the entranceway to the municipal building. C.F.O. Diane Laudenbach suggested a resolution be adopted next month to explore preliminary expenses for these repairs.

**MINUTES**

April 3, 2014 Regular Meeting

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve the April 3, 2014 Township Committee Regular Meeting Minutes.

Comments: No comments or corrections.

|                        |                |                                 |
|------------------------|----------------|---------------------------------|
| <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>                   |

April 3, 2014 Executive Session

Mayor Lubitz asked that the April 3, 2014 meeting minutes be discussed in executive session.

April 8, 2014 Special Meeting (Budget)

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve the April 8, 2014 Special Meeting Minutes.

Comments: No comments or corrections.

|                        |                |                                 |
|------------------------|----------------|---------------------------------|
| <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>                   |

Burning Permits

Mayor Lubitz asked Township Attorney Cushing where someone would obtain a burning permit. Attorney Cushing and the President of the Kingwood Fire Department both agreed that it would be obtained through the State.

Letter & Attachments from Byram Lane Residents re: Flood Prevention Resolutions

Mayor Lubitz explained the letter and attachments from a Byram Lane Resident regarding flood prevention resolutions.

**RESOLUTION NO. 2014 – 52**

**SUPPORTING AMENDMENT TO CONSENT DECREE OF 1954  
FLOOD REDUCTION POLICY**

**WHEREAS**, Kingwood Township’s western border is the Delaware River; and

**WHEREAS**, the Delaware River has historically flooded, causing significant loss of property, interference with the business and infrastructure of the Township and posing risks to the lives of the citizens of the Township; and

**WHEREAS**, the Kingwood Township Committee believes that the management of levels of the reservoirs upstream in the Delaware River Basin is a significant factor in flooding that impacts the Township of Kingwood, and the flow and level management of these reservoirs owned by the City of New York are subject to the United States Supreme Court Decree of 1954, to which the State of New Jersey, the Commonwealth of Pennsylvania, the State of New York, the State of Delaware and the City of New York are parties; and

**WHEREAS**, said decree provides that the City of New York may fill its reservoirs to the level of 105% from the period of May 1<sup>st</sup> to June 15<sup>th</sup> of each year, a period when flooding has occurred historically, and during the said 105% level there is no capability to provide any flood control downstream of said reservoirs during significant rain events, thereby creating an unnecessary and dangerous threat to those individuals downstream and unduly risking the life and property of the citizens of Kingwood Township; and

**WHEREAS**, each of the four states has standing to call upon the United States Supreme Court to amend the Decree of 1954 and demand that the City of New York shall maintain the levels in its Delaware River Basin reservoirs at or below 90% during all periods of the year, thereby providing reasonable flood mitigation capability to protect those who are downstream of the City of New York’s reservoirs.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey does hereby call upon the four states who are parties to the Consent Decree of 1954 that addresses matters regarding the management of the reservoirs belonging to the City of New York, to petition the Supreme Court of the United States to revisit said decree and amend same so that the City of New York shall be compelled to limit the level of water in the reservoirs under its jurisdiction that impact the Delaware River at or below a level of 90% at all times of the year, to provide an adequate void to mitigate flooding situations that can cause loss of life and property in the Township of Kingwood; and

**BE IT FURTHER RESOLVED** that the Clerk of the Township of Kingwood is hereby directed to forward a copy of this Resolution to the Governor of the State of New Jersey, the Governor of the Commonwealth of Pennsylvania, the Governor of the State of Delaware, the Governor of the State of New York and the Mayor of the City of New York, and Legislators in the 23<sup>rd</sup> District in the State of New Jersey.

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>                   |

**EXECUTIVE SESSION – RESOLUTION NO. 2014 - 47**

The following Resolution was introduced to enter into closed session at approximately 8:57P.M.:

**RESOLUTION NO. 2014 – 47**

**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:

**Executive Session Minutes of April 3, 2014**  
**Contract Negotiations – United Reformed Church BI 12 L 25**  
**Rental Unit at Former Melnyk Property**  
**DPW Agreement w Local Union 469**  
**Possible Litigation – Block 14 Lot 28.01**  
**Discuss Amendments to Employee Handbook and Personnel Policies**  
**April 3, 2014 Executive Session Meeting Minutes**

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.

|                        |                |   |                               |
|------------------------|----------------|---|-------------------------------|
| <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 9:39P.M. All voted **Aye** on **Roll Call Vote**.

|                        |                |   |                               |
|------------------------|----------------|---|-------------------------------|
| <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>                   |

April 3, 2014 Executive Session

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve the April 3, 2014 Executive Session Meeting Minutes with the amendments discussed in executive session.

|                        |                |   |                               |
|------------------------|----------------|---|-------------------------------|
| <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>                   |

Church Property

Deputy Mayor Dodds commented on the States concern that the township did not have properly trained persons using chainsaws in their portion of the park. He explained that the State has now arranged for training at a small expense to the township. He also noted that there will be some trail work done at no charge, and that they will be staying at the church property house.

**ADJOURNMENT**

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to adjourn the meeting at 9:43P.M. All voted **Aye** on **Roll Call Vote**.

**Respectfully Submitted,**

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