

KINGWOOD TOWNSHIP COMMITTEE

Regular Meeting Agenda

July 3, 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 Assemblyman Peterson re: Receipt of Resolution

Letter from Assemblyman Peterson re: Bulls Island Camp Ground

E-mail from Frenchtown Resident re: Delaware River Tubing Buses

Public Comment – Privilege of the Floor

Bills and Claims

Reports

NJSP Report

Emergency Management Coordinator

Animal Control Report of June 2014

Finance Department:

 Budget Report of May 2014

 Tax Collector's Report of May 2014

Township Engineer's Report

Recycling Report

Tonnage Report

KT First Aid & Rescue Squad 2013 Financial Statements

July 3, 2014 Township Committee Agenda Continued

Future Meetings & Activities

- July 10 -** Public Hearing on Amendment to Open Space & Recreation Plan Element of Master Plan, at Municipal Bldg., meeting beginning at 7:30pm
- July 12 -** Clean Up Program at Twp Garage at 255 Union Rd., 9:00am – 12:00noon
- July 12 -** Recycling at Twp Garage at 255 Union Rd., 9:00am – 12:00noon
- July 12 -** Cty Household Hazardous Waste Clean Up Day at Rte 12 Library Complex, 9:00am – 1:00pm
- July 28 -** Petition Filing Deadline for Board of Education, with Cty. Clerk by 4:00pm

- August 5 -** County 4th Annual Night Out at Deer Path Park, 5:00pm - 9:00pm
- August 7 -** Regular, Monthly Meeting of Township Committee at Municipal Building, beginning at 7:00pm

Reschedule September Meeting of Township Committee

Ordinances

Ordinance No. 18-07-2014 To Provide For The Resurfacing Of Roads As A General Improvement For The Township And Appropriating \$50,000.00 From The Capital Improvement Fund – Public Hearing and Final Adoption

Ordinance No. 18-08-2014 To Provide For The Purchase Of A Case International Tractor, Model 110A, Alamo Machete 11” 18’ Severe Duty Side Mounted Flail Mower And Alama Standard Duty Grass Flail Mower Or Equivalent As A General Improvement For The Township And Appropriating \$130,000.00 From The Capital Improvement Fund – Reserve For Purchase Of Municipal Equipment – Public Hearing and Final Adoption

Ordinance No. 18-09-2014 To Provide For The Construction Of A 35 X 60 X 14 Lean-To Attached To Existing Salt Shed – Public Hearing and Final Adoption

Ordinance No. 18-10-2014 Amending 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

Ordinance No. 18-11-2014 Amending Article I Of Chapter 34, “Recreation Commission And Parks And Recreation Committee” Of The Code Of The Township Regarding Overnight Parking – Introduction and Adoption on First Reading

July 3, 2014 Township Committee Agenda Continued

Resolutions

Resolution No. 2014-70 – Certification Of The Annual Audit & Group Affidavit Form

Resolution No. 2014-71 - Dedication by Rider for Developer's Escrow Fund

Resolution No. 2014-72 - Exemption for Park Facilities Fees NJ Quarter Horse Assoc

Resolution No. 2014-73 - Authorizing Hunting Lottery

New Business

Vote to Accept Resignation Letter – Sustainable Team

Request to Use Municipal Building Meeting Room

Certificate of Determination & Award

Draft Ordinance Establishing Safety Zones

Discuss Route 12 Corridor Planning Invoice

Old Business

Recycling Area Cover/Enclosure – New Price Quotations

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

United Reformed Church Bl 12 L 25

Minutes

June 5, 2014 Executive Session Meeting

June 19, 2014 Special Meeting

Executive Session – Resolution No. 2014 – 74

Contract Negotiations - DPW Agreement w Local Union 469

Possible Litigation – Block 14 Lot 28.01

Block 12 Lots 8 & 11

Return to Regular Session

June 5, 2014 Regular Meeting

Adjournment

PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES

2014 – 159

July 3, 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, 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 Assemblyman Peterson re: Receipt of Resolution

Mayor Lubitz reviewed.

Letter from Assemblyman Peterson re: Bulls Island Camp Ground

Mayor Lubitz commented on Assemblymen Peterson's misunderstanding. Mayor Lubitz noted that he will be contacting him to speak to him.

E-Mail from Frenchtown Resident re: Delaware River Tubing Buses

There was a brief discussion regarding the letter received from a Frenchtown resident regarding the Delaware River Tubing buses. The Township Committee feel that there should definitely be communication with the business owner who is running the tubing business. They suggested they take steps to slow down and mitigate some of the noise that is going on daily during this summer season. Mayor Lubitz stated that he will respond back to the resident.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

David Frank, Muddy Run Road – He came to talk about the continued sounds from the solar farm across the road from his property. He noted that he has spoken to the township’s Planning Board, Engineer, and the Attorney. He explained that he sent information to the engineer regarding sound regulations from other municipalities, and also actual legislation. He reviewed what the sound readings were on some regular household items. He stated that there is a way to set up testing, which runs over a period of time.

Mayor Lubitz explained that they hope to have more data at next week’s Planning Board meeting. He noted that the Zoning Officer obtained a reading of about 40 decibels at the foot of Mr. Frank’s driveway about two weeks ago. David Frank stated that he would like the township to conduct a time based log. The Township Committee stated they would like to review the reports from the township professionals.

Deputy Mayor Dodds would like to receive a written report regarding the testing from the Zoning Officer. He noted that he will find out if the Zoning Officer can do a time based log with his meter. David Frank explained that a time based log is necessary if it ever goes to the State as a complaint.

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 **\$2,000,980.51** that are in order and attached as Bill List for June 2014.

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

REPORTS

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

NJSP Report

The Township Committee reviewed the New Jersey State Police Report for the month of June over the overhead projector. Mayor Lubitz commented on the amount of deer accidents. He feels this validates the need for deer hunting.

Emergency Management Coordinator

EMC, Jack MacConnell was present and reported on the effects of last evening’s storm. The report included Stanbury Lane, Hammar Road, and Heath Road, which are all located along Barbertown Point Breeze Road.

He reported that the radios are in and they will be distributed in the next two weeks. He explained briefly how communications work and that the project will be in full operation by mid-August.

Jack MacConnell explained that he is still waiting for a locking cabinet to go around the antennae, so that no one can play with the radios. He reported on the collapsed bridge on County Route 519 south. He feels that the county should reimburse the township for the wear and tear on the local roads. Attorney Cushing doesn't feel the county will be under any obligation to reimburse the township for any necessary repairs needed on those over used local roads as a result of the detour. He suggested the township engineer reach out to the county engineer and perhaps they can come up with a solution to reroute the traffic.

Jack MacConnell noted that the county originally planned to put up signs to divert traffic to State Hwy 29. He reported the Hunterdon County Health Department responded to a call on Route 651, and they haven't provided any information to Kingwood Township or to the County Office of Emergency Management. He explained why it is so important for the information to be distributed. He noted that the township and county will receive written protocol on this situation. He suggested, as far as, the tubing business on Route 12 that the township needs to think about all the drivers who will be making U-turns into other businesses driveways coming and going from the tubing business.

The Township Committee thanked Jack MacConnell for his report.

Finance Department:

Budget Report of May 2014

Tax Collector's Report of May 2014

Township Engineer's Report

Recycling Report

Tonnage Report

KT First Aid & Rescue Squad 2013 Financial Statements

There was a brief discussion regarding the KT First Aid & Rescue Squad's 2013 Financial Statements.

FUTURE MEETINGS AND ACTIVITIES

Mayor Lubitz reviewed as per the Agenda.

Mayor Lubitz commented on the reduced prices for the Clean-Up Day Program this year. He explained that there are not many times you will see the fees go down, but in this case, there has been a significant reduction in the fees for permits for the Clean Up Day Program this year. He explained that the township received Clean Community funds from the State.

Reschedule September Meeting of Township Committee

The Township Committee Members discussed changing the date for the September regular township meeting. They discussed several dates and decided that the September meeting for the Township Committee will be rescheduled for the third Monday of the month on September 15, 2014 beginning at 7:00P.M.

ORDINANCES

ORDINANCE NO. 18-07-2014 TO PROVIDE FOR THE RESURFACING OF ROADS AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$50,000.00 FROM THE CAPITAL IMPROVEMENT FUND -VOL. 18, PG. 18-07 - 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 5th day of June, 2014. The Ordinance was published in the Hunterdon County Democrat on June 12, 2014 and has been posted in the Kingwood Township Municipal Building on June 6th, 2014. Copies of the Ordinance have been available for inspection by the public since June 6th, 2014.

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

Comments:

David Frank, Muddy Run Road – Noted he has lived in Kingwood almost 30 years and wanted to know if there were any plans to have any of the major roads in Kingwood blacktopped. He feels they are heavily traveled and that for many years they have been tar and chipped, but would like to see the road have a more solid surface to make the roads last. The Township Committee explained that the township does what they can with the funds that they have in their budget.

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 - 07 - 2014

AN ORDINANCE TO PROVIDE FOR THE RESURFACING OF ROADS AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AND APPROPRIATING \$50,000.00 FROM THE CAPITAL IMPROVEMENT FUND

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

2014 – 163

- SECTION 1.** The improvement described in Section 2 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 or purposes described in Section 2, there is hereby appropriated the sum of \$50,000.00, said sum being inclusive of all appropriations heretofore made therefore.
- SECTION 2.** The Township of Kingwood is hereby authorized to resurface ten (10) miles of Township roads.
- SECTION 3.** In order to finance the cost of the improvements or purpose there is hereby appropriated \$50,000.00 from the Capital Improvement Fund.
- SECTION 4.** The said purpose described in Section 2 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 adopted to conform with the provisions of this ordinance. The project has been included in the 2014 Capital Budget of the Township of Kingwood.
- SECTION 6.** There is no debt authorized for this improvement or purpose.
- SECTION 7.** This ordinance shall take effect immediately upon final passage according to law.

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

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

ORDINANCE

ORDINANCE NO. 18-08-2014 TO PROVIDE FOR THE PURCHASE OF A CASE INTERNATIONAL TRACTOR, MODEL 110A, ALAMO MACHETE 11” 18’ SEVERE DUTY SIDE MOUNTED FLAIL MOWER AND ALAMA STANDARD DUTY GRASS FLAIL MOWER OR EQUIVALENT AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$130,000.00 FROM THE CAPITAL IMPROVEMENT FUND – RESERVE FOR PURCHASE OF MUNICIPAL EQUIPMENT – VOL. 18, PG. 18-08 - 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 5th day of June, 2014. The Ordinance was published in the Hunterdon County Democrat on June 12, 2014 and has been posted in the Kingwood Township Municipal Building on June 6th, 2014. Copies of the Ordinance have been available for inspection by the public since June 6th, 2014.

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

Comments: Deputy Mayor Dodds gave a brief background of the ordinance.

There were 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 – 08 - 2014

AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF A CASE INTERNATIONAL TRACTOR, MODEL 110A, ALAMO MACHETE 11” 18’ SEVERE DUTY SIDE MOUNTED FLAIL MOWER AND ALAMA STANDARD DUTY GRASS FLAIL MOWER OR EQUIVALENT AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AND APPROPRIATING \$130,000.00 FROM THE CAPITAL IMPROVEMENT FUND – RESERVE FOR PURCHASE OF MUNICIPAL EQUIPMENT

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 2 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 or purposes described in Section 2, there is hereby appropriated the sum of \$90,000.00, said sum being inclusive of all appropriations heretofore made therefore.

SECTION 2. The Township of Kingwood is hereby authorized to purchase a **CASE INTERNATIONAL TRACTOR, MODEL 110A, ALAMO MACHETE 11” 18’ SEVERE DUTY SIDE MOUNTED FLAIL MOWER AND ALAMA STANDARD DUTY GRASS FLAIL MOWER OR EQUIVALENT.**

SECTION 3. In order to finance the cost of the improvements or purpose there is hereby appropriated \$100,850.00 from the Capital Improvement Fund – Reserve for Purchase of Municipal Equipment and \$29,150.00 from the Capital Improvement Fund.

SECTION 4. The said purpose described in Section 2 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 adopted to conform with the provisions of this ordinance. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget as approved by the Division of Local Government Services in on file with The Clerk and is available there for public inspection and to be included in the capital budget for the 2014 budget.

SECTION 6. There is no debt authorized for this improvement or purpose.

SECTION 7. This ordinance shall take effect immediately upon final passage according to law.

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

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

ORDINANCE

ORDINANCE NO. 18 - 09 – 2014 AN ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF A 35 X 60 X 14 LEAN-TO ATTACHED TO THE EXISTING SALT SHED – VOL. 18, PG. 18 - 09 – 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 5th day of June, 2014. The Ordinance was published in the Hunterdon County Democrat on June 12, 2014 and has been posted in the Kingwood Township Municipal Building on June 6th, 2014. Copies of the Ordinance have been available for inspection by the public since June 6th, 2014.

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

Comments:

The Township Committee explained that this is for the area where the recycling center is at the DPW. They explained that this is a structure to enclose the area and that the funding will be coming from state Clean Community grant funds.

There were 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 - 09 - 2014

**AN ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF A 35 X 60 X 14
LEAN-TO ATTACHED TO THE EXISTING SALT SHED**

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 2 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 or purposes described in Section 2, there is hereby appropriated the sum of \$35,000.00, said sum being inclusive of all appropriations heretofore made therefore.

SECTION 2. The Township of Kingwood is hereby authorized to construct a 35 x 60 x 14 lean-to attached to the existing salt shed.

SECTION 3. In order to finance the cost of the improvements or purpose there is hereby appropriated \$35,000.00 from the Clean Communities Grant Funds.

SECTION 4. The said purpose described in Section 2 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 adopted to conform with the provisions of this ordinance. The project has been included in the 2014 Capital Budget of the Township of Kingwood.

SECTION 6. There is no debt authorized for this improvement or purpose.

SECTION 7. This ordinance shall take effect immediately upon final passage according to law.

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

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

ORDINANCE

ORDINANCE NO. 18 – 10 – 2014 AN ORDINANCE AMENDING ORDINANCE NO. 18-06-2014 FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY – Introduction and Adoption on First Reading

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

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to adopt on first reading **ORDINANCE NO. 18 – 10 – 2014 AN ORDINANCE AMENDING ORDINANCE NO. 18-06-2014 FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY.**

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

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

ORDINANCE

ORDINANCE NO. 18 – 11 – 2014 AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 34, “RECREATION COMMISSION AND PARKS AND RECREATION COMMITTEE” OF THE CODE OF THE TOWNSHIP OF KINGWOOD REGARDINOVERNIGHT PARKING – 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 – 11 – 2014 AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 34, “RECREATION COMMISSION AND PARKS AND RECREATION COMMITTEE” OF THE CODE OF THE TOWNSHIP OF KINGWOOD REGARDINOVERNIGHT PARKING.**

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

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

RESOLUTIONS

Resolution No. 2014-70 – Certification Of The Annual Audit & Group Affidavit Form

The following Resolution was introduced:

RESOLUTION NO. 2014 - 70

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit;

R.S. 52:27BB-52 – A local officer or member of the local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Resolution No. 2014-71 - Dedication by Rider for Developer’s Escrow Fund

The following Resolution was introduced:

RESOLUTION NO. 2014 – 71

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DEVELOPER’S ESCROW FUND REQUIRED BY NJSA 40:55D-53.1 et.seq.

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

WHEREAS, NJSA 40:55D-53.1 et seq provides for receipt of Developer’s Escrow Fund by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A 40A:4-39 provides the dedicated revenues anticipated from the Developer’s Escrow Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the NJSA 40:55D-53.1 Developer’s Escrow Fund.
2. The Clerk of the Township of Kingwood, County of Hunterdon is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

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

RESOLUTION

Resolution No. 2014-72 - Exemption for Park Facilities Fees NJ Quarter Horse Association

The following Resolution was introduced:

RESOLUTION NO. 2014 - 72

**EXEMPTION FOR PAYMENT OF FEES FOR THE USE
OF PARK FACILITIES**

WHEREAS, the New Jersey Quarter Horse Association of 100 East Broad Street, Westfield, NJ a non –profit organization reserved the Horseshoe Bend Park trails for a horse trail ride event on Saturday, June 7, 2014; and

WHEREAS, the Township of Kingwood requests a security deposit for the use of the facility in the amount of \$300 per weekend and \$75 for residents or \$150 for non-residents per day for the fields at the Horseshoe Bend Park; and

WHEREAS, the Township Committee and Parks and Recreation Committee adopted Ordinance No. 17-13-2014 on March 7, 2014 amending the fees for the Kingwood Parks set forth in article III of Chapter 34, “Recreation Commission and Parks and Recreation Committee” of the Code of the Township of Kingwood; and

WHEREAS, Ordinance No. 17-13-2014 exempts the charge of any non-profit organization reserving or using the Kingwood Park facilities.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to exempt the New Jersey Quarter Horse Organization from any fees owed for the use of the Horse Bend Park facility on June 7, 2014 for a trail ride.

Attorney Cushing suggested an ordinance be adopted allowing for waivers. He will be sending a sample ordinance from another township for the Committee to review and consider.

Deputy Mayor Dodds explained that the New Jersey Quarter Horse Organization did a charity ride for the Baker’s Treat in Flemington NJ, who hire people with disabilities and is mainly run by volunteers.

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to adopt the foregoing resolution pending verification that the bill for the rented port a potty in the amount of \$125.00 has been reimbursed to the township.

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

RESOLUTION

Resolution No. 2014-73 - Authorizing Hunting Lottery

The following Resolution was introduced:

RESOLUTION NO. 2014 - 73

A RESOLUTION AUTHORIZING THE TOWNSHIP OF KINGWOOD TO CONDUCT A HUNTING LOTTERY FOR HUNTING AT HORSESHOE BEND LLC - BLOCK 14, L28.02 (CONSISTING OF A TOTAL OF 137 ACRES); FLAGG - BLOCK 14, LOT 35.01 (CONSISTING OF APPROXIMATELY 110 ACRES); KIRKLAND - BLOCK 28, LOT 2.01 (CONSISTING OF APPROXIMATELY 99 ACRES); HORSESHOE BEND PARK- BLOCK 14, LOT 31.01 (CONSISTING OF APPROXIMATELY 106 ACRES) AND KINGWOOD TOWNSHIP UKARISH PROPERTY (CONSISTING OF APPROXIMATELY 82 ACRES)

WHEREAS, the State of New Jersey, Department of Environmental Protection, Division of Parks and Forestry Department (hereinafter, “Department”) is the owner of certain properties known as Horseshoe Bend LLC - Block 14, Lot 28.02 (consisting of a total of 137 acres); Flagg - Block 14, Lot 35.01 (consisting of approximately 110 acres); and Kirkland - Block 28, Lot 2.01 (consisting of approximately 99 acres) which the State acquired pursuant to N.J.S.A. 13:8A-1 et seq., “New Jersey Green Acres Land Acquisition Act of 1968; (hereafter HBP); and

WHEREAS, the Township also owns parcels known as Block 14, Lot 31.01, also known as “Horseshoe Bend Park” and consisting of approximately 106 acres and Kingwood Township Ukarish Property (consisting of approximately 82 acres, approximately 60 of which will be available for hunting) (hereafter KTUP); and

WHEREAS, all of the Parcels designated in paragraphs 1 and 2 above shall hereinafter be known as the “Properties”; and

WHEREAS, historically, hunting for properly licensed hunters under the rules and regulations of the NJ Department of Environmental Protection, Division of Fish and Wildlife, has been permitted on portions of the Properties; and

WHEREAS, the Township of Kingwood has entered into a Memorandum of Agreement with the State of New Jersey, Department of Environmental Protection, Division of Parks and Forestry Department, to manage the HBP and to use the HBP for the sole purposes of improving public access, removing invasive species, establishing protected under-story planting in specified areas, and promoting public awareness of recreational uses, including hunting; and

WHEREAS, the Township has determined that the best interest of the Township of Kingwood would be served by controlling hunting on the Properties by way of permitting hunting on the Properties, solely through the means of a lottery that will award permits for deer hunting, which will be open to all properly NJ licensed hunters; and

WHEREAS, in order to be eligible for the lottery, prospective hunters must complete a Kingwood Township application form, which is available from the Township Clerk, pay a five (5) dollar application fee per lottery per season, and, if awarded a deer hunting permit by way of lottery, pay a twenty-five (25) dollar permit fee and certify that they will comply with Kingwood Township Wildlife Management Guidelines, which are available from the Township Clerk, as well as all applicable State of New Jersey statutes, rules and regulations for deer hunting;

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 Township of Kingwood authorizes the conduct of deer hunting lotteries for on and in Horseshoe Bend LLC - Block 14, Lot 28.02 (consisting of a total of 137 acres); Flagg - Block 14, Lot 35.01 (consisting of approximately 110 acres); Kirkland - Block 28, Lot 2.01 (consisting of approximately 99 acres); Horseshoe Bend Park, Block 14, Lot 31.01 (consisting of approximately 106 acres) and KTUP (consisting of approximately 82 acres of which the Township will authorize for limited, permitted bow hunting 60 acres), said lottery to occur on date/s as published on the official Kingwood Township website and posted at the Kingwood Township Municipal Building, whereby successful applicants will be selected randomly from all fully compliant lottery applications.

2. Kingwood Township deer hunting lottery application forms are available from the Kingwood Township Clerk’s office during normal business hours for a fee of five (5) dollars per lottery per season.

3. In order for the individual who has completed a fully compliant application to be eligible for the lottery, such application must be provided to the Kingwood Township Clerk 5 days prior to any lottery drawing date/s.

4. All successful lottery winners, in order to be permitted to engage in deer hunting Properties, must, prior to hunting, attend a mandatory meeting that will be scheduled by the Township and pay a twenty-five (25) dollar permit fee to Kingwood Township, and certify on a form available from the Township Clerk that they will comply with all Kingwood Township Wildlife Management Guidelines, which are available from the Township Clerk, as well as all applicable State of New Jersey statutes, rules and regulations for deer hunting.

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

NEW BUSINESS

Accept Resignation Letter – Sustainable Team

The Township Committee noted with regret the resignation letter received by Donna Herbel, who has resigned from the Sustainable Team.

Request to Use Municipal Building Meeting Room

The Township Committee Members reviewed the request to use the meeting room for a deposition for one hour. It was also requested to also use the township’s Wi-Fi. Deputy Mayor Dodds noted that they will need to send the township their mac address seven days prior to the scheduled meeting, so they can be logged onto the township’s Wi-Fi system.

Certificate of Determination & Award

The Township Committee received and reviewed the Certification of Determination and Award to authorize the Chief Financial Officer to issue a Bond Anticipation Note for the total principal amount of \$72,500.

2014 – 175

Deputy Mayor Dodds reviewed a list of items that need to be done in the municipal offices over a period of time. Deputy Mayor Dodds noted that he will work on the list and e-mail it to the Township Clerk.

United Reformed Church BI 12 L 25

Deputy Mayor Dodds reported that the United Reformed Church is in the process of doing a lead abatement on the property and then a closing date will be scheduled. He explained that the United Reformed Church will be contracting directly with the companies for the work that is needed to be completed.

MINUTES

June 5, 2014 Executive Session Meeting

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve the June 5, 2014 Executive Session Meeting minutes.

Comments/Corrections: No corrections/comments.

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

June 19, 2014 Special Meeting

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve the June 19, 2014 Township Committee Special Meeting Minutes.

Comments/Corrections: No corrections/comments.

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

EXECUTIVE SESSION – RESOLUTION NO. 2014 - 74

The following Resolution was introduced to enter into closed session at approximately 9:30P.M.:

RESOLUTION NO. 2014 – 74

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 - DPW Agreement w Local Union 469
 Possible Litigation – Block 14 Lot 28.01
 Block 12 Lots 8 & 11

3. The time when the circumstances under which the discussions conducted in closed session of this public body can be disclosed to the public is as follows:

The minutes of the closed session will be made public upon conclusion, dismissal or settlement of litigation; or final resolution of agreements or personnel matters; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 13.

4. This resolution shall take effect immediately.
5. The Township Committee may take additional action upon returning to regular session.

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

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

RETURN TO REGULAR SESSION

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to return to regular session at 9:45P.M. All voted **Aye** on **Roll Call Vote**.

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

June 5, 2014 Regular Meeting

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve the June 5, 2014 Regular Meeting minutes with the following corrections.

Comments/Corrections:

Page 2014 – 150 Under Application for a Person-to-Person Transfer of ABC License 1016-44-002-006 – Second paragraph – first sentence.

Sentence as stated before correction – (Mayor Lubitz noted that the ABC and the New Jersey State Police are the investigative bodies, therefore, the township cannot go against what they recommend.

Correction: Replace with – (Mayor Lubitz noted that the ABC and the New Jersey State Police are the investigative bodies, therefore, the township will follow these recommendations.)

Page 2014 – 152 Under Hunting Program for Public Parks - First paragraph – fourth line from the bottom.

Sentence as stated before correction – (He would like to see an ordinance introduced, which would prohibit the discharge of firearms.)

Correction: Replace with – (He would like to see an ordinance introduced, which would create a safety zone around the parks.)

Page 2014 – 152 Second paragraph – last sentence.

Sentence as stated before correction – (Mayor Lubitz stated the exceptions, as the township does not want to be in violation.)

Correction: Replace with – (Mayor Lubitz stated the exceptions, which are the New Jersey Statutes.)

Page 2014 – 154 Executive Session Resolution No. 2014 – 69 - First sentence under title.

Sentence as stated before correction – The following Resolution was introduced to enter into closed session at approximately P.M.

Correction: Replace with – (The following Resolution was introduced to enter into closed session at approximately 9:15P.M.)

Roll Call Vote:

AYE	- Dodds, Haywood, Lubitz
NAY	- None
ABSTAIN	- None
ABSENT	- None

The Township Committee reviewed the Engineer’s report. It was noted that the solar farm is getting very close to completion, therefore, the township should finally get back legal fees as a result of the settlement agreement, in addition to property.

Committeewoman Haywood noted that Habitat for Humanity should be taken off the engineer’s report. Mayor Lubitz will contact the township’s engineer.

Committeewoman Haywood commented on the inverters for the solar fields that have been replaced along Muddy Run Road and Barbertown Point Breeze Road. She feels that if the inverters have been upgraded, then the company should be responsible to solve the noise problem. Mayor Lubitz explained that the township engineer is working with the company.

ADJOURNMENT

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to adjourn the meeting at 10:00P.M. All voted **Aye** on **Roll Call Vote**.

Respectfully Submitted,

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