

KINGWOOD TOWNSHIP COMMITTEE

Regular Meeting Agenda

August 7, 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

Guest Speaker – J Anderson, JCP&L

Correspondence

Letter from National MS Society re: Bike MS Ride

Letter from Shop-Rite of Hunterdon Cty re: Partners In Caring Program

Letter from NJDEP Forestry Services re: Grants for Shade Tree Program

Public Comment – Privilege of the Floor

Bills and Claims

Reports

NJSP Report

Emergency Management Coordinator

Court Reports of May & June 2014

Finance Department:

Budget Report of June 2014

Tax Collector's Report of June 2014

Township Engineer's Report

August 7, 2014 Township Committee Agenda Continued

Future Meetings & Activities

- August 9 -** Recycling at Twp Garage at 255 Union Rd., 9:00am – 12:00noon
- September 13 -** Recycling at Twp Garage at 255 Union Rd., 9:00am – 12:00noon
- September 15 -** Regular, Monthly Meeting of Township Committee at Municipal Building, beginning at 7:00pm
- September 20 -** Community Day at Kingwood Park from 12:00noon – 8:00pm,
Rain date September 21, 2014

Ordinances

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 – Public Hearing and Final Adoption

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 – Public Hearing and Final Adoption

Resolutions

- Resolution No. 2014-75 -** Extend Grace Period for 2014 Third Quarter Taxes
- Resolution No. 2014-76 -** Cancel Tax Sale Certificate Bl 5 L 3.01
- Resolution No. 2014-77 -** Cancel Tax Sale Certificate Bl 13 L 16
- Resolution No. 2014-78 -** Cancel Tax Sale Certificate Bl 13 L 16.04
- Resolution No. 2014-79 -** Renewal of Inactive ABC Licenses
- Resolution No. 2014-80 -** Support of Rte 29 No Passing Zones
- Resolution No. 2014-81 -** Award Bid for Purchase of Tractor & Mowers
- Resolution No. 2014-83 -** Waiver to Serve Alcoholic Beverages

New Business

- Application for Raffle License – Unity Spiritual Center
- Township Table for Community Day 2015
- Draft Ordinance to Amend Setbacks of Scenic Corridor Overlay – recommended by
Planning Board
- COAH Comments Letter
- Request from Court Administrator to Advertise for Court Security Officer
- Merry Mixers Support

Old Business

- Draft Ordinance Establishing Safety Zones
- Discuss Repairs to Municipal Building – Septic, Downstairs Entrance, Lighting, UST
- United Reformed Church Bl 12 L 25

August 7, 2014 Township Committee Agenda Continued

Minutes

July 3, 2014 Regular Meeting
July 3, 2014 Executive Session Meeting

March 19, 2001 Special Meeting
March 19, 2001 Regular Meeting
March 19, 2001 Executive Session Meeting

Executive Session – Resolution No. 2014-82

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

Return to Regular Session

Adjournment

PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES

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August 7, 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 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.

Guest Speaker – John Anderson, JCP&L Company

John Anderson, Area Manager for JCP&L Company was present and provided a brief update for the first six months of the year. He explained that they completed the work on a critical facilities database, which he explained is a compilation of all the critical facilities that have been defined by the BPU. These include Municipal Buildings, Fire Departments, Rescue Squads, and 911 towers. He explained that these are all part of a database that is connected to their outage management system, which enables them to see a list of critical facilities that are currently without power based on the information that they have.

John Anderson feels that this is a significant step forward. He explained that this will allow them to provide information to the State and others. It also allows them to look at different critical facilities and work better with their outage departments and be able to predict times of restoration. He explained that this should provide another opportunity to manage and prioritize during a storm. They have a new project to expand, which is an existing substation near Lambertville, for Kingwood Township, which means system reinforcement. He stated that JCP&L has tried to have a very thorough vegetation management program, trying to be very persistent, especially since Superstorm Sandy. He noted the effort has been basically received pretty well by customers. They are now on a four year cycle and he noted that this cycle has been approved by the BPU. John Anderson answered several questions from the Committee Members.

Mayor Lubitz mentioned concerns regarding Fairview Road, and the recurring problems they have had on that road. John Anderson agreed and stated that JCP&L will send out their foresters to take a look at Fairview Road.

A resident of Kingwood Township David Frank of Muddy Run Road commented. He feels that JCP&L did a pretty good job with Superstorm Sandy storm damage. He stated there seems to be a lot of poles still in disrepair, which he was concerned about and asked if there is a plan to keep all the poles in repair. John Anderson noted that all the poles are on a ten year inspection cycle and that they also have an inspection program strictly for line operations. He noted that if anything is reported to them, they will send out someone to take a look at it right away. He noted that some of the poles belong to the telephone company.

David Frank asked if JCP&L has improved their contract communications, and he explained what happened after Superstorm Sandy. John Anderson responded by stating that since Superstorm Sandy, they now have tough book computers in all of their line trucks, so crews can get in touch.

The Township Committee thanked John Anderson for coming this evening.

CORRESPONDENCE

Letter from National MS Society re: Bike MS Ride

Mayor Lubitz reviewed.

Letter from Shop-Rite of Hunterdon Cty re: Partners In Caring Program

Mayor Lubitz reviewed. He stated that the ShopRite of Hunterdon County “Partners in Caring Program” will be hosting a program called “Help Bag Hunger Day” on Wednesday, September 17th, 2014. He explained this will be a one hour event to bag groceries and be a force in the fight against hunger as a part of ShopRite Partners In Caring Day. Mayor Lubitz noted that he will be in contact with them to let them know he would be very happy to volunteer.

Letter from NJDEP Forestry Services re: Grants for Shade Tree Program

Mayor Lubitz and Deputy Mayor Dodds briefly reviewed.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

David Frank, Muddy Run Road - Commented and stated that he met with the Hunterdon County Health Department and that they have been very helpful. He did not realize that he should have been communicating with them from the beginning. He noted that they have not found any violations regarding the sound being over the limit, but will try again in the fall. He feels that it may be easier to pick up the sound in the fall.

He asked the Township Committee if they would consider making their regulations for noise stricter. There was a brief discussion on a procedure to make a change. Mayor Lubitz noted that the Planning Board Secretary will communicate with the township's Planner.

David Frank thanked the Township Committee for their time and their assistance.

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 **\$2,149,033.89** that are in order and attached as Bill List for August 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

Mayor Lubitz briefly reviewed.

Emergency Management Coordinator

EMC, Jack MacConnell was present and reported on the Horseshoe Bend Road detour and sign problems. He also recommended that the township contact the county regarding the collapsed bridge along the Lockatong Creek and what could happen if a lot of high water should come along. He distributed a letter from the State regarding grants, for which the township had been awarded a grant for generators. He has a meeting coming up with the State and will ask them about a flag pole antennae becoming part of the grant. He also explained the radio band problems coming up. He envisions the flag pole antennae next to the Morton Building at the Horseshoe Bend Park. He is trying to get a spot on the NJ State Police antennae off of Route 651. He also reported on a meeting he had with MEL and the Volunteer Fire Company Members. Mayor Lubitz asked a few questions regarding the meeting. He feels it is very important to get the State to clarify the amount of money for the grants clarified.

Court Reports of May & June 2014

Finance Department:

Budget Report of June 2014

Tax Collector's Report of June 2014

Township Engineer's Report

Mayor Lubitz briefly reviewed.

FUTURE MEETINGS AND ACTIVITIES

Mayor Lubitz reviewed as per the Agenda.

Mayor Lubitz noted the Regular Township Committee Meeting for September, will not be held on the first Thursday of the month. It has been rescheduled for Monday, September 15th, 2014 at 7:00P.M.

ORDINANCES

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 - 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 3rd day of July, 2014. The Ordinance was published in the Hunterdon County Democrat on July 10, 2014 and has been posted in the Kingwood Township Municipal Building on July 4th, 2014. Copies of the Ordinance have been available for inspection by the public since July 4th, 2014.

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

Comments: No comments

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 – 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.

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

ARTICLE 1. Amend the salaries as follows:

Municipal Court

Court Administrator/Violations Clerk

\$37,398.85

ARTICLE 2. For authorized use of an automobile, an official or employee shall be reimbursed at the current rate set by the Internal Revenue Service. All authorized travel expense reimbursements, training and educational reimbursements, overtime, health and disability insurance, absence, paid vacations, equipment allowances, emergency meal allowances and other benefits shall be set forth in the current Kingwood Township Personnel Manual or in accordance with applicable law.

ARTICLE 3. All ordinances or parts of Ordinances inconsistent herewith are hereby amended as to such inconsistency only.

ARTICLE 4. If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph, subdivision or clause, and to this end, the provisions of this Ordinance are hereby declared to be severable.

ARTICLE 5. This Ordinance shall take effect immediately upon final passage and publication 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 – 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 REGARDING OVERNIGHT PARKING - Public Hearing and Final Adoption

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

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This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on the 3rd day of July, 2014. The Ordinance was published in the Hunterdon County Democrat on July 10, 2014 and has been posted in the Kingwood Township Municipal Building on July 4th, 2014. Copies of the Ordinance have been available for inspection by the public since July 4th, 2014.

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

Comments: No comments

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

ORDINANCE NO. 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 REGARDING OVERNIGHT PARKING

WHEREAS, it has been recommended by the Kingwood Township Parks and Recreation Committee that certain changes be made to the rules and regulations pertaining to Kingwood Township Parks; and

WHEREAS, the Township Committee has reviewed the recommendations of the Kingwood Township Parks and Recreation Committee and concurs with those recommendations; and

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

- 1) Section 94-3(L) shall be amended by adding a new sentence to the end of that subsection to read as follows: “Unauthorized overnight parking at all Kingwood Township owned properties is prohibited. If overnight parking is needed, requests can be made to any Kingwood Township Recreation Commissioner or to the Kingwood Township Committee who may grant authorization where the need for overnight parking is sufficiently documented.
- 2) If any part or parts of this ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this ordinance.
- 3) All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of the Code of the Township of Kingwood not inconsistent herewith are ratified and confirmed.

This Ordinance shall take effect immediately upon final adoption and publication 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

RESOLUTIONS

Resolution No. 2014-75 - Extend Grace Period for 2014 Third Quarter Taxes

The following Resolution was introduced:

RESOLUTION NO. 2014 - 75

EXTENDING THE GRACE PERIOD OF THE PAYMENT OF THE THIRD QUARTER 2014 REAL ESTATE TAXES

WHEREAS, N.J.S.A. 54:4-66.3(d) requires that at least 25 days elapse between the time tax bills are mailed to the date taxes are due; and

WHEREAS, it is the desire of the Mayor and Township Committee of the Township of Kingwood to allow sufficient time for preparation and mailing of the 2014-2015 tax bills after the rate has been struck and for compliance with the statute first above cited.

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 grace period for the payment of the 3rd quarter 2014 property tax installment is extended to August 22, 2014 and any tax payments received after August 22, 2014, interest will be assessed from August 1, 2014.

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. 2014-76 - Cancel Tax Sale Certificate Bl 5 L 3.01

The following Resolution was introduced:

RESOLUTION NO. 2014 – 76

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

WHEREAS, Certificate of Sale #201401 was issued to the Township of Kingwood for delinquent taxes on Block 5 Lot 3.01, assessed to Muller, Michael, at a tax sale held on June 18, 2014; and

WHEREAS, the owner has redeemed Certificate of Sale #201401 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 #201401 for cancellation.

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. 2014-77 - Cancel Tax Sale Certificate Bl 13 L 16

The following Resolution was introduced:

RESOLUTION NO. 2014 – 77

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

WHEREAS, Certificate of Sale #12-001 was issued to the Township of Kingwood for delinquent taxes on Block 13 Lot 16, assessed to Juray, Ernest & Robert, at a tax sale held on July 18, 2012; and

WHEREAS, the Township has received the redemption amount of \$19,742.60 from the homeowner.

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 #12-001 for cancellation.

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. 2014-78 - Cancel Tax Sale Certificate Bl 13 L 16.04

RESOLUTION NO. 2014 – 78

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

WHEREAS, Certificate of Sale #12-002 was issued to the Township of Kingwood for delinquent taxes on Block 13 Lot 16.04, assessed to Juray, Ernest & Robert, at a tax sale held on July 18, 2012; and

WHEREAS, the Township has received the redemption amount of \$16,831.88 from the homeowner.

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 #12-002 for cancellation.

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. 2014-79 - Renewal of Inactive ABC Licenses

The following Resolution was introduced:

RESOLUTION NO. 2014 – 79

**LIQUOR LICENSE APPLICATION RENEWALS
SPECIAL RULINGS BY DIRECTOR**

WHEREAS, application has been made to the Kingwood Township Committee for the renewal of Plenary Retail Consumption License 1016-33-001-003 and Plenary Retail Consumption License No. 1016-33-004-007 for the 2014-2015 licensing period; and

WHEREAS, Plenary Retail Consumption License No. 1016-33-001-003 became inactive as the licensed premises were not open and operating for two full license terms since on or before June 30, 2012, and the licensee subsequently filed a verified petition with the Director of the Division of Alcoholic Beverage Control requesting authorization for the local issuing authority to consider a renewal application for the 2014-2015 license term; and

WHEREAS, Plenary Retail Consumption License No. 1016-33-004-007 became inactive as the licensed premises were not open and operating for two full license terms since on or before June 30, 2012, and the licensee subsequently filed a verified petition with the Director of the Division of Alcoholic Beverage Control requesting authorization for the local issuing authority to consider a renewal application for the 2014-2015 license term; and

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

WHEREAS, the Kingwood Township Committee, at a meeting assembled, has reviewed the “12.39” Special Rulings and the renewal applications, and the submitted application forms are complete in all respects, the applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations, and the issuing authority has reviewed the source of any additional financing obtained in the previous license term for use in the licensed businesses; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the following Plenary Retail Consumption Licenses be hereby renewed for the 2014-2015 licensing period effective August 7, 2014:

1016-33-001-003 Uncle Scotts Steakhouse LLC
650 County Road 519
Frenchtown, NJ 08825
Municipal Fee: \$2,500 State Fee: \$200.00
Plenary Retail Consumption License

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1016-33-004-007 BMA Enterprises LLC
1121 Highway 12
Frenchtown, NJ 08825
Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Consumption License

It was moved by 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. 2014-80 - Support of Rte 29 No Passing Zones

The following Resolution was introduced:

RESOLUTION NO. 2014 – 80

SUPPORT OF STATE ROUTE 29 NO PASSING ZONE

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on State Route 29 in Kingwood Township; and

WHEREAS, NJDOT recommends a revision to the centerline pavement markings on State Route 29 to create a “No Passing Zone” in the vicinity of M.P. 26.2, M.P. 27.7, M.P. 30.7 and M.P. 31.2 in Kingwood Township for safety reasons; and

WHEREAS, this project will create safer driving conditions in this area of State Route 29;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that it supports the use of a “No Passing Zone” on State Route 29 in Kingwood Township, as recommended by NJDOT;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to NJDOT as requested.

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

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

There was a brief break at 8:06P.M.

The meeting was reconvened at 8:08P.M.

Award Bid for Purchase of Tractor & Mowers

The Committee Members reviewed the following bids and specs:

Power Place Inc. 297 Route 22 East Whitehouse Station, NJ 08889	\$98,335.00
Trius, Inc. 5049 Industrial Rd. Farmingdale, NJ 07727	\$114,170.00
Storr Tractor Company 3191 Highway 22 Branchburg, NJ 08876	\$125,382.00

Deputy Mayor Dodds explained all the bids and specs were reviewed with the Department of Public Works Supervisor, Mark Petro. They looked at what they all offer and what the township is looking to purchase and the differences.

RESOLUTION

Resolution No. 2014-81 - Award Bid for Purchase of Tractor & Mowers

The following Resolution was introduced:

RESOLUTION NO. 2014 – 81

**RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF
110 HP TRACTOR, SIDE MOUNTED FLAIL MOWER AND
STANDARD DUTY GRASS FLAIL MOWER**

WHEREAS, Kingwood Township advertised for and received bids for a New Case International Tractor Model 110A, New Alamo Machete II 18’ Severe Duty Side Mounted Flail Mower and New Alamo Standard Duty Grass Flail Mower Head; and

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WHEREAS, a bid was received from Power Place, 297 Route 22 East, Whitehouse, NJ, which after review was found would supply a 90 HP Tractor which does not provide enough stability to support the arm cutter attachment, and; therefore, this size tractor doesn't meet the minimum bid specifications; and

WHEREAS, a bid was received from Trius, Inc., 5049 Industrial Rd., Farmingdale, NJ, which after review was found did not offer a power shuttle creeper to reduce the speed to a low enough speed, resulting in more wear and tear on the clutch, and also would require a traveling distance of sixty seven miles to obtain service for the tractor, and; therefore, this bid doesn't meet the minimum bid specifications; and

WHEREAS, following the review of the bid, Storr Tractor Company, 3191 Route 22, Branchburg, NJ is found to be the lowest responsible bidder;

NOW, THEREFORE, BE IT RESOVED by the Township Committee of the Township of Kingwood that:

The contract for the 110 HP Tractor, Side Mounted Flail Mower and Standard Duty Grass Flail Mower be awarded to Storr Tractor Company, 3191 Route 22, Branchburg, New Jersey 08876 in the amount of \$125,382.00.

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. 2014-83 - Waiver to Serve Alcoholic Beverages

The following Resolution was introduced:

RESOLUTION NO. 2014 – 83

**WAIVER TO SERVE ALCOHOLIC BEVERAGES
AT KINGWOOD PARK**

WHEREAS, the Italian American Club of Hunterdon County has reserved the use of the new pavilion and parking area at Kingwood Park to utilize for a "Italian American Club of Hunterdon County Annual Picnic" on September 14, 2014; and

WHEREAS, the Italian American Club of Hunterdon County has requested permission to serve alcoholic beverages during the picnic on September 14, 2014;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that a waiver is granted to the Italian American Club of Hunterdon County to provide alcoholic beverages during the picnic on September 14, 2014 at the Kingwood Park bocce pavilion, property located at 200 Union Road, known as Block 19 Lot 8 in Kingwood Township, New Jersey, based on the following conditions and requirements being met by the applicant:

1. The applicants shall arrange the alcoholic beverages area so that the area is separate and distinct in appearance;
2. The applicants shall prevent minors from entering the alcoholic beverages area, from serving the alcoholic beverages and from consuming the alcoholic beverages;
3. The applicants shall provide proof to the Township of Kingwood that they hold the following insurance:

General Liability: \$1,000,000 per occurrence/\$2,000,000 aggregate
Host Liquor Liability: \$1,000,000 per occurrence/\$2,000,000 aggregate

In addition, the applicants shall name the Township of Kingwood as an additional insured, and the Certificate of Insurance shall be submitted to the Township at least 30 days prior to the event. The Certificate of Insurance must specifically note that coverage is provided for Liquor Liability.

4. The applicants, by accepting this waiver, acknowledge and hold harmless the Township of Kingwood and its municipal officials and employees from any and all claims, damages and cost of suit which may arise out of the waiver granted hereunder.

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

NEW BUSINESS

Application for Raffle License – Unity Spiritual Center

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve application for Raffle License No. 2014-06 for the Unity Spiritual Center, 453 Bellwood Ave. Asbury, NJ 08802 to be conducted at the Kingwood Township Municipal building on September 17, 2014 at 12:00 noon.

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

Township Table for Community Day 2015

Committeewoman Haywood explained that at the Environmental Commission Meeting it was suggested to organize a “Township Table” at the annual Community Day 2015. She explained that this is where all the township information would be all at the same table. Mayor Lubitz suggested this idea be brought back to the township boards, committees and commissions by their secretary to see if there is an interest.

Draft Ordinance to Amend Setbacks of Scenic Corridor Overlay – recommended by Planning Board

The Committee Members reviewed the draft ordinance and the recommendations from the Planning Board. After reviewing the draft ordinance they proceeded to make the recommended amendments.

It was noted that the amended ordinance will be forwarded to the Township Planner for review.

COAH Comments Letter

Mayor Lubitz reviewed a letter the township sent to Sean Thompson, Acting Executive Director of the NJ Council on Affordable Housing regarding written comments from the township.

The Committee Members felt that the letter composed by Planner, David Banisch was very thoughtful and thorough. They all had positive comments regarding the letter.

Request from Court Administrator to Advertise for Court Security Officer

Clerk MacConnell explained what the Court Administrator had requested. She explained that the position may be open in the near future. She asked whether the Township Committee would consider authorizing to place an ad in the paper for a new Court Security Officer. Deputy Mayor Dodds noted that he would like to see a statement from the Court Security Officer, as to whether he will continue the position before advertising for the position.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to authorize for the advertisement for a court security officer if needed with the next 45 days.

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

Merry Mixers Support

Deputy Mayor Dodds who is the Governing Body Member for the Parks and Recreation Committee and the Recreation Commission explained that historically the Parks and Recreation have supported on an annual basis a donation to the Merry Mixers. He noted that the Parks and Recreation Committee discussed the history of their support to them and what amount would be appropriate since their budget is only \$4,000 for the year. He explained that the Parks and Recreation Committee have suggested the amount of \$500 as a donation towards the Merry Mixers and he would like to have the Township Committees opinion on the matter.

Mayor Lubitz stated there has been a discussion regarding various seniors living on isolated properties, and he is concerned whether the township is doing everything they can. He feels that if there is anything else they can do to reach out to more seniors that the township needs to build a community support system.

It was noted that the Township Committee did not have any objections to the Parks and Recreation Committees recommendation. The Recreation Commission will make the approval as it was put in their budget.

There was a brief discussion regarding the new church who has purchased the Baptistown Baptist Church

OLD BUSINESS

Draft Ordinance Establishing Safety Zones

There was a lengthy discussion regarding the changes to the ordinance. They proceeded to make the appropriate changes. There was a discussion with C.F.O. D. Laudenbach regarding the application fees. It was suggested to forward this ordinance to the township Engineer, Thomas Decker.

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

Mayor Lubitz noted that the township is waiting for the Township Engineer to get back to the Committee Members regarding the repairs.

United Reformed Church BI 12 L 25

Deputy Mayor Dodds noted that the Church is proceeding with the lead abatement, which was found in two places on the property. He noted that the environmental company wrote up a report recommending a water treatment that would cost around \$25,000. They will be testing the water again and they are hoping the results turn out better. Deputy Mayor Dodds noted that they are hoping for the closing to be in October.

MINUTES

July 3, 2014 Regular Meeting

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

Comments or Corrections: None

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

July 3, 2014 Executive Session Meeting

These minutes will be discussed in Executive Session.

March 19, 2001 Special Meeting

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve the March 19, 2001 Township Committee Special Meeting Minutes.

Comments or Corrections: None

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

March 19, 2001 Regular Meeting

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve the March 19, 2001 Township Committee Regular Meeting Minutes.

2014 – 196

Comments or Corrections: Page # 201-47 Under Public Comment – Privilege of the Floor – D. Kager – Featherbed Road - Fourth line down – Sentence as is: (He has no issue if the land has to be named, but does have an issue if he is not able to have some input on the name.)

Sentence should be replaced with correction of spelling error: (He has no issue if the Lane has to be named, but does have an issue if he is not able to have some input on the name.)

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

March 19, 2001 Executive Session Meeting

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve the March 19, 2001 Executive Session Meeting minutes.

Comments/Corrections: None

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

EXECUTIVE SESSION – RESOLUTION NO. 2014 - 82

The following Resolution was introduced to enter into closed session at approximately 9:51P.M.:

RESOLUTION NO. 2014 – 82

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 Mr. Dodds, seconded by Mrs. Haywood and carried to return to regular session at 9:44P.M. All voted Aye on Roll Call Vote.

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

July 3, 2014 Executive Session Meeting

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

2014 – 198

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

Deputy Mayor Dodds briefly explained that a crew from the Student Conservation Association came and worked on trails, which are called the Flagg and Kirkland Trails. He noted that they did a great job.

ADJOURNMENT

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to adjourn the meeting at 9:48P.M. All voted **Aye** on **Roll Call Vote**.

Respectfully Submitted,

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