

KINGWOOD TOWNSHIP COMMITTEE

Regular Meeting Agenda

October 2, 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 Frenchtown Property Owners re: Delaware River Tubing Business
Thank You Letter from Hunterdon Land Trust
Thank You Letter KTS Music Teacher re: Support of Music Programs
Copy of Resolution from Delaware Twp re: Opposing Proposed PennEast Pipeline

Public Comment – Privilege of the Floor

PennEast Pipeline – Comments from the Public

Bills and Claims

Reports

NJSP Report
Emergency Management Coordinator
Finance Department:
 Tax Collector's Report of July 2014 and August 2014
Township Engineer's Report

Future Meetings & Activities

October 4 & 5 - Township Wide Yard Sale from 8:30am-4:00pm
October 11 - Clean-Up Program at DPW on Union Rd. between 9:00am-12:00noon, permit required

October 2, 2014 Township Committee Agenda Continued

Future Meetings and Activities Continued

- October 11 -** Recycling at DPW on Union Rd. between 9:00am-12:00noon
October 14 - Last day to register to vote in the November General Election
October 25 - Trunk or Treat at Kingwood Park, beginning at 5:30pm, must pre-register
October 28 - Last day to apply BY MAIL for a Mail-in Ballot for General Election
November 1 - Cty Community Paper Shredding Day for Residents & Small Businesses, at Rte 12 Complex from 9:00am-1:00pm
November 4 - General Election Day, all residents vote at KT Volunteer Fire Company, 952 Cty Rd 519, between 6:00am-8:00pm
November 6 - Regular, Monthly Meeting of Township Committee at Municipal Building, beginning at 7:00pm
November 8 - Senior Dinner at Kingwood Methodist Church beginning at 1:00pm, must pre-register
November 8 - Cty Household Hazardous Waste Cleanup Day at Rte 12 Complex From 9:00am-1:00pm

January 17, 2015 - Free Rabies Clinic at Township DPW Building on Union Rd., 1:00pm-3:00pm

Ordinances

Ordinance No. 18-12-2014 Creating A Safety Zone Within 450 Feet Of Township Parks, Playgrounds And Schools – Introduction and Adoption on First Reading

Resolutions

- Resolution No. 2014-90 -** Authorizing Review for Continuing Disclosure Cooperation Initiative
Resolution No. 2014-91 - Professional Services Agreement for Disclosure Audit Specialist
Resolution No. 2014-92 - Tax Sale Redemption Bl 22 L 13.03
Resolution No. 2014-93 - Reimbursement for Security Deposit for North Jersey Kennel Club, LLC
Resolution No. 2014-94 - Rescinding Resolution No. 2014-71
Resolution No. 2014-95 - Dedication By Rider for Developer's Escrow Fund
Resolution No. 2014-96 - Application for NJDOT 2015 State Aid

New Business

Best Practices Checklist
Request from SADC – Kocsis Bl 6 L 18 & 23.01

October 2, 2014 Township Committee Agenda Continued

New Business Continued

- Request from Environmental Commission – Review NJDEP Notification
- Authorize Advertisement for Part Time Seasonal Worker
- Schedule Trick-or-Treat Hours
- Application for Raffles License – Wildcat Wrestling Club
- Discuss Policy for Attending Conferences

Old Business

- PennEast Pipeline
- Draft Ordinance to Amend Setbacks of Scenic Corridor Overlay – referred back to Pl Bd
- Discuss Repairs to Municipal Building
- United Reformed Church Bl 12 L 25
- Discuss Amendments to Chapter 57 - Animals

Minutes

- September 15, 2014 Regular Meeting
- September 15, 2014 Executive Session

Adjournment

PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES

2014 – 215

October 2, 2014 – 7:00PM

A Regular Meeting of the Kingwood Township Committee was called to order at 7:00P.M. with Mayor Phillip Lubitz presiding.

Also present at the meeting were Deputy Mayor Richard Dodds, Committeewoman Diana Haywood, Attorney Judith Kopen, C.F.O. Diane Laudenbach, Deputy Clerk Cynthia Keller and Clerk Mary MacConnell. Mayor Lubitz called the meeting to order and following the salute to the flag, read aloud the following:

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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 Frenchtown Property Owners re: Delaware River Tubing Business

Mayor Lubitz reviewed the letter from a Frenchtown resident asking the township to take action on their suggestion. Deputy Mayor Dodds noted that the business is not operating any longer until next summer. He feels that there will be plenty of time over the winter months to determine what will happen next. He feels that they will be appearing in front of one or more of the boards for approval and at that time it will be determined.

Mayor Lubitz noted that he will draft a letter to the Frenchtown resident, who expressed concerns for the Delaware River Tubing business.

Thank You Letter from Hunterdon Land Trust

Mayor Lubitz reviewed a thank you letter received from the Hunterdon Land Trust. He feels that the township owes the Hunterdon Land Trust more thanks than they could ever return to the township. He explained they have been a terrific part in helping preserve land in Kingwood Township.

Thank You Letter KTS Music Teacher re: Support of Music Programs

Mayor Lubitz reviewed the thank you letter from Mr. Ian White thanking the township for their support of the music program at the Kingwood School. He noted anyone that was present at the earlier part of Community Day, was able to enjoy how the band has blossomed. He expressed that it is definitely the best music program in all of the 5 sending school districts at Del Val High School.

Copy of Resolution from Delaware Twp. re: Opposing Proposed PennEast Pipeline

Mayor Lubitz reviewed the opposing resolution from Delaware Township. He acknowledged by stating this is probably on everyone's mind. He explained that he attended two meetings recently regarding the pipeline in Delaware Township and in Holland Township. He explained that Kingwood Township is trying to get PennEast Pipeline to hold a public meeting like they did for the other townships, but at this time they are not committing to come to a meeting yet. He is hopeful that after speaking to a few Assemblymen and Legislators that they can help out. He feels that residents of Kingwood deserve a public meeting just like everyone else.

Mayor Lubitz suggested a meeting be scheduled on Wednesday, October 29th, 2014 at 7:00PM at the Kingwood Township Volunteer Fire Company located on Route 519 near Union Road. He noted that whether or not PennEast attends the meeting, he feels it would be in their best interest to attend and defend themselves.

Mayor Lubitz feels that Kingwood Township will join with Holland Twp. and Delaware Twp. in a consortium, but he would like to allow the residents present tonight to have a chance to speak before any action is taken.

Mayor Lubitz suggested since there are several people who are present to talk about the proposed pipeline with Penn East, that he will be taking public comments at this time to hear everyone's concerns and comments.

PUBLIC COMMENT – PRIVILEGE OF THE FOOR

PennEast Pipeline

The following residents commented on the Penn East Pipeline and their concerns:

Anthony Hauck
Laura Ryan
David Frank
Beth Pandy
Carol Tistan
Peter Laskaris

Scott Simon
Dee Ely
Chris Ely
Richard Toth
Dennis Kager

The following is a list of concerns from the public’s comments:

- Requests to have a public meeting to discuss the proposed pipeline.
- Lack of concern by PennEast pipeline regarding the geology in Kingwood Twp.
- Concerns about the routing.
- Thank you to the Mayor for attending the meetings held in neighboring towns.
- Would like the township to adopt a resolution joining Delaware and Holland Twps. for solidarity to oppose the pipeline.
- Suggestions that the public submit questions to PennEast pipeline.
- Questions regarding what happens to the pipeline when the gas is gone.
- Geophysical Engineer present offered to do research on the pipeline and will have questions for PennEast.
- Concerns of the health and safety of the public, and property values.
- Concerns of how many miles the pipeline will be throughout the township.
- Questions of why they don’t stay in Pennsylvania.
- Thank you to the Mayor and Township Committee for attending the meetings and for recognizing the importance of the issue.

The Township Committee thanked everyone for coming out this evening and asked if they would spread the word that there will be an open public meeting scheduled on Wednesday, October 29, 2014 at 7:00 at the Kingwood Volunteer Fire Company on Route 519.

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 **\$1,121,055.94** that are in order and attached as Bill List for October 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:

Emergency Management Coordinator

EMC Jack MacConnell noted that he recently participated in a drill with the Hunterdon County Public Health Department where they simulated an anthrax and biochemical attack. He explained that part of the drill was to practice giving out medicines to the first responders.

He explained in regard to the funds from FEMA, \$47,869.00 will be coming to the township and that there may be more coming in regards to Super Storm Sandy. He noted that he is waiting to have this clarified, as there may be more money for the labor account.

He noted that radios for the rescue squad have been provided to them.

Mayor Lubitz noted all the work, planning and coordinating which Jack MacConnell has been doing for the township as the Emergency Management Coordinator. He commented on his report from last month, which described the dangers of having the new pipeline together with the Buckeye Pipeline and the electric line. Mayor Lubitz noted that we must plan for the worst in case of a major event and coordinate with the County and State, because a municipality would never be able to handle it alone. EMC Jack MacConnell offered to contact the State Homeland Security to see what could be done.

NJSP Report

Mayor Lubitz briefly reviewed the New Jersey State Police report for last month. He explained that he is frequently asked, why the State Police cannot patrol the roads in Kingwood during the rush hours. He noted after speaking to the State Police, during those hours their primary concern is to protect the schools. Mayor Lubitz expressed how he would like to continue communicating with them regarding possibly getting another person to patrol the roads.

Finance Department:

Tax Collector's Report of July 2014 and August 2014

Township Engineer's Report

Mayor Lubitz commented on the bridge that is currently out on Route 519 going south. Deputy Mayor Dodds reviewed information which the township's Emergency Management Coordinator had previously pointed out. He explained that if high water comes through the creek, it could flood and take out the remaining bridge or even the surrounding homes. He noted that the county has assured the township that will not happen.

A resident of the township asked if anyone knew when the bridge would be finished.

Mayor Lubitz responded by stating the county will need to pour concrete, therefore, they plan to startup in the spring of 2015.

FUTURE MEETINGS AND ACTIVITIES

Mayor Lubitz reviewed as per the Agenda.

Under - October 11, 2014 Recycling at the Department of Public Works on Union Road between 9:00am – 12:00noon

Recycling Coordinator, Sandra McNicol commented on the non-recyclable items being dumped into the bins and that she would like to see cameras installed outside nearby the bins. She explained that she visited Holland Township's recycling center recently and that they have restricted hours open to the public. She also noted that it is managed by individuals who watch what comes into their facility and that it is very nicely kept. She feels that Kingwood may have to limit hours for the recycling center along with installing cameras to prevent non-recyclables from being dumped.

Sandra McNicol explained that she has spoken to the Department of Public Works Supervisor regarding the lean-to, which is to be installed to the exterior of the salt shed. She explained that the company that will be installing the lean-to will be coming to survey the plot plan in the middle of October. She explained then shortly after, blueprints will be submitted to the construction department. She feels that once this is in place, then they can plan to proceed with limited hours and discuss installing more cameras.

ORDINANCES

ORDINANCE NO. 18-12-2014 CREATING A SAFETY ZONE WITHIN 450 FEET OF TOWNSHIP PARKS, PLAYGROUNDS AND SCHOOLS – Introduction and Adoption on First Reading

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

Mayor Lubitz explained that New Jersey State Law prohibits hunting within 450' within the distance from a school or playground. He explained the Township Committee feels that the township needs an ordinance to help prevent shooting not only into schools and playgrounds, but also into parks.

Mayor Lubitz noted that the township is going to introduce an ordinance that would create a 450' safety zone, which would not only pertain to schools and playgrounds, but for two parks. He stated these parks are the Kingwood Park and the Horseshoe Bend Park, which include both Kingwood owned and State owned portions.

Mayor Lubitz noted that this is for the health, and safety of the public. He stated that by doing so, the township has taken pains to not abridge a property homeowner's right to have a weapon, to carry a weapon, to transport a weapon or to defend their home. In addition the township has learned that there are a few shooting ranges within the 450' area. He noted that they do not want to completely restrict them, however, with reviewing many guidelines, standards from the NRA, there are uniformed guidelines. He stated that the primary concern is assuring a projectile is not going to leave the range.

He noted that a property owner will be allowed to continue using preexisting ranges, but asked to obtain a permit and submit plans to be approved so that the township can make sure that they are in accordance with NRA guidelines.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to adopt on first reading **ORDINANCE NO. 18-12-2014 CREATING A SAFETY ZONE WITHIN 450 FEET OF TOWNSHIP PARKS, PLAYGROUNDS AND SCHOOLS.**

Discussion: Mayor Lubitz explained the process for adopting an ordinance to everyone that was present. He explained there is a letter which has been prepared that will be mailed out to all the land owners who are potentially affected by the ordinance. He noted that next month at the November 6th, 2014 Township Meeting at 7:00PM, there will be an open public hearing on the ordinance. He explained that this ordinance is not being passed this evening, but just introduced.

The township attorney reviewed suggestions and comments to be amended in the ordinance from the township engineer. The Township Committee reviewed the amendments and made the changes during the public meeting.

There were several questions and comments from the following residences present:

Russell Oakes
Beth Pandy
Harold Ryan

The Township Committee answered all the questions.

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, November 6, 2014 at a meeting beginning at 7:00 P.M. at the municipal building.

RESOLUTIONS

Resolution No. 2014-90 - Authorizing Review for Continuing Disclosure Cooperation Initiative

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2014 – 90

**RESOLUTION AUTHORIZING A REVIEW OF COMPLIANCE WITH
PRIOR ANNUAL CONTINUING DISCLOSURE OBLIGATIONS
AND PARTICIPATION IN THE SECURITIES AND EXCHANGE
COMMISSION’S MUNICIPALITIES CONTINUING DISCLOSURE
COOPERATION INITIATIVE**

WHEREAS, the above-defined Issuer has previously issued one or more series of bonds, including in the past five (5) years pursuant to one or more preliminary and final official statements (collectively, the “Bonds”); and

WHEREAS, in connection with the issuance of such Bonds, the Issuer covenanted with Bondholders to provide certain secondary market disclosure information on an annual basis to the Nationally Recognized Municipal Securities Information Repositories (pre-2009) and to the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access Data Port (2009 to present) (“EMMA”), which secondary market disclosure information may consist of one or more of the following: audited financial statements, municipal budgets, other financial and operating data and ratings changes; and

WHEREAS, the Securities and Exchange Commission (the “SEC”) has recently focused attention on what it alleges is widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and misrepresentation through material misstatements in an official statement (innocently, inadvertently or otherwise) of past compliance with continuing disclosure obligations; and

WHEREAS, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative (The “SEC Initiative”), a limited-time program ending at 5:00 p.m. on December 1, 2014, that encourages issuers of municipal bonds, including the Issuer, to self-report possible material misstatements or omissions, made in the past five (5) years in an official statement regarding compliance with prior continuing disclosure obligations; and

WHEREAS, should the SEC determine that an issuer has made material misstatements in an official statement regarding compliance with prior continuing disclosure obligations, issuers participating in the SEC Initiative agree to accept certain non-monetary penalties, in lieu of unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not participate in the SEC Initiative; and

WHEREAS, by participating in the SEC Initiative, issuers agree to accept the following penalties, if imposed by the SEC (i) compliance with a cease and desist order in which the issuer neither admits nor denies the findings of the SEC, (ii) implementation of policies, procedures and training regarding continuing disclosure obligations, (iii) compliance with all existing continuing disclosure undertakings, (iv) cooperation with any further SEC investigation, (v) disclosure of settlement terms in any final official statement issued within five years of the date of institution

of the proceedings, and (vi) production to the SEC of a compliance certificate regarding the applicable undertakings on the one year anniversary of the proceedings; and

WHEREAS, on July 24, 2014, the Division of Local Government Services issued Local Finance Notice 2014-9 (i) alerting local governments to the SEC Initiative, (ii) strongly recommending that local governments examine their continuing disclosure contractual obligations and past official statements in order to determine if it is advisable for an issuer to participate in the SEC Initiative and (iii) cautioning local governments that failure to complete a disclosure assessment in connection with the SEC Initiative will likely have difficulty accessing capital markets, difficulty in receiving timely approvals of the Local Finance Board or Director of the Division of Local Government Services, as applicable, and decreased scores on the future “Best Practices Questionnaires”; and

WHEREAS, the Issuer desires to conduct a disclosure audit which will (i) summarize the results of the Issuer’s prior compliance with its secondary market disclosure obligations and (ii) compare those results to the statements made by the Issuer in its official statements regarding past compliance (the “Disclosure Audit”); and

WHEREAS, the Issuer further desires to retain the services of disclosure specialist to conduct the Disclosure Audit; and

WHEREAS, based on the results of the Disclosure Audit, and weighing heavily the known, non-monetary penalties that may come through the Issuer’s participation in the SEC Initiative versus the unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not self-report, the Issuer further desires to delegate to the Chief Financial Officer, in consultation with the Issuer’s general counsel, bond counsel, auditor and other finance professionals, the power to prepare and submit all documentation required to enter the Issuer’s Bond issues into the SEC Initiative, as necessary;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE ISSUER, AS FOLLOWS:

Section 1. The Issuer hereby authorizes completion of the Disclosure Audit.

Section 2. The Issuer hereby authorizes the Chief Financial Officer to engage the services of a disclosure specialist to complete the Disclosure Audit; provided that the award of any contract in connection therewith meets the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

Section 3. In the event the Disclosure Audit reveals that the Issuer **may** have made a material misstatement regarding the Issuer’s compliance with prior continuing disclosure undertakings, the Issuer hereby authorized and directs the Chief Financial Officer to prepare and submit all documentation necessary to enter the Issuer’s applicable Bond issues into the SEC Initiative.

Section 4. Any action taken by the Chief Financial Officer, or any other officer of the Issuer, with respect to the Disclosure Audit, the engagement of a disclosure specialist and participation in the SEC Initiative is hereby ratified and confirmed.

Section 5. This resolution shall take effect immediately.

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

Committeewoman Haywood noted the new regulations for municipalities that issued permanent debt within the last 5 years, must post to a site called EMMA showing open disclosure to everyone.

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

Resolution No. 2014-91 - Professional Services Agreement for Disclosure Audit Specialist

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2014 – 91

RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACT FOR DISCLOSURE AUDIT SPECIALIST

WHEREAS, the Township of Kingwood has a need to acquire professional services of a Disclosure Audit Specialist as a non-fair and open contract 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 not exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year(s); and

WHEREAS, the Disclosure Audit Specialist professional set forth below has submitted a proposal indicating they will provide the professional services described below for the amount set forth in the 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
Douglas J. Bacher, NW Financial Group, LLC	Disclosure Audit Specialist	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:

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

Resolution No. 2014-92 - Tax Sale Redemption Bl 22 L 13.03

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2014 - 92

TAX SALE REDEMPTION

WHEREAS, the Tax Collector has received redemption monies in the amount of \$30,365.67 to redeem Tax Sale Certificate No. 12-005 on Block 22, Lot 13.03; and

WHEREAS, the lien holder paid a premium at the time of sale in the amount of \$11,100.00.

NOW, THEREFORE, BE IT RESOLVED by the 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 check in the amount of \$41,465.67 to FNA Jersey Lien Services, LLC, P.O. Box 1030, Brick, New Jersey, 08723 for the redemption of Tax Sale Certificate No. 12-005.

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

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

Resolution No. 2014-93 - Reimbursement for Security Deposit for North Jersey Kennel Club, LLC

RESOLUTION

The following Resolution was introduced:

**RESOLUTION NO. 2014 - 93
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, June 28th, 2014, Sunday, June 29th, 2014, September 20th, 2014 and September 21st, 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 Saturday, June 28th, 2014, Sunday, June 29th, 2014, September 20th, 2014 and September 21st, 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 North Jersey Kennel Club, LLC, 128 Flanders Drakestown Rd, Flanders, NJ 07836.

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

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

Resolution No. 2014-94 - Rescinding Resolution No. 2014-61

RESOLUTION

The following Resolution was introduced:

**RESOLUTION NO. 2014 – 94
RESCINDING RESOLUTION NO. 2014-61**

WHEREAS, Resolution No. 2014-61 was adopted on June 5, 2014 for the establishment of the Dedication by Rider of the Developer’s Escrow; and

WHEREAS, the body of the resolution indicated the establishment of a Dedication by Rider for the Self Insurance Fund in error.

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 Resolution No. 2014-61 be rescinded in its entirety.

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 No. 2014-95 - Dedication By Rider for Developer’s Escrow Fund

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2014 – 95

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

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 40A: 55D-53.1 provides for receipt of Developer’s Escrow Funds 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 Funds 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 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 No. 2014-96 - Application for NJDOT 2015 State Aid

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2014 – 96

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SPRING HILL ROAD WIDENING AND DRAINAGE IMPROVEMENT SECTION THREE PROJECT

WHEREAS, there is a need in the Township of Kingwood for certain improvements to Spring Hill Road Section Three; and

WHEREAS, the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey has determined to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Spring Hill Widening and Drainage Improvement Section Three project; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Kingwood Township-00392 to the New Jersey Department of Transportation on behalf of Kingwood Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Kingwood Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

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

Best Practices Checklist

Mayor Lubitz explained to those present at the meeting that every year the township receives a best practices checklist, and that they change over time and some remain the same. He noted that it is very helpful towards making the policies for the township.

The Township Committee reviewed the best practices checklist over the projector and made decisions on the unanswered questions.

Request from SADC – Kocsis Bl 6 L 18 & 23.01

Mayor Lubitz reviewed the letter from the State Agriculture Development Committee regarding application for farmland preservation for Block 6, Lot 18 and 23.01. He explained that the letter requests that the township confirm receiving the notice, and that the township respond as to whether they would support the effort to preserve this property.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve to return the municipal response notice from the State Agriculture Development Committee confirming that the township has received the notice, and that they support the application for farmland preservation of Block 6, Lot 18, & 23.01 for the Kocsis property.

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

Request from Environmental Commission – Review NJDEP Notification

The Township Committee reviewed the memo from the Environmental Commission regarding a notification they discussed at their meeting. This notice was from the NJDEP regarding a spill that occurred at MEL, 500 Barbertown Point Breeze Road on August 26, 2014.

Mayor Lubitz noted that the Environmental Commission has requested that the Township Committee be informed about this spill and review the incident. The Township Committee reviewed the notification from the NJDEP regarding a spill of 6000 gallons of Zirconium Oxychloride, and expressed that they were not happy about being informed in this manner for something this serious.

Mayor Lubitz suggested that a letter be written to the NJDEP requesting more information, what was done and how it was cleaned up. The Township Committee members were very disturbed by the incident that occurred at MEL, and all agreed that the NJDEP should notify the township in a timely manner when an incident of this kind happens.

Committeewoman Diana Haywood offered to write the letter to the NJDEP.

Authorize Advertisement for Part Time Seasonal Worker

C.F.O. Diane Laudenbach explained she needed authorization to advertise for a part time seasonal worker for snowplowing and grass cutting for 2015.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve authorization to advertise for a part time seasonal worker for snow plowing and grass cutting for 2015.

Roll Call Vote:

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

Schedule Trick-or-Treat Hours

The Township Committee discussed trick or treating hours and a date for Kingwood Township.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to schedule trick or treating hours to be on Friday, October 31st, 2014 from 5:00PM to 7:00PM for Kingwood Township.

Roll Call Vote:

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

Application for Raffles License – Wildcat Wrestling Club

The Township Committee reviewed Raffle License Application from the Wildcat Wrestling Club for a Calendar Raffle. The drawings will be scheduled starting January 6th – March 24th , 2014, which will be every Tuesday evening at the Del Val High School Wrestling Room at 6:00PM. Tickets for the drawings will be sold on December 18, 2014 at 6:00PM.

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to approve Raffle License No. 2014-08 to conduct a Calendar Raffle Drawing to take place at the Del Val High School Wrestling Room every Tuesday evening at 6:00PM. Tickets for the drawing will be sold on December 18, 2014.

Roll Call Vote:

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

Discuss Policy for Attending Conferences

Deputy Mayor Dodds liaison for the DPW, reviewed a few questions the Department of Public Works employees had regarding attending the league conference in Atlantic City and what the limit would be for their spending expenses and questions regarding reimbursement.

There was a discussion regarding whether there is a line item in the budget for expenses for the league conferences or seminars. Diane Laudenbach noted that there is no line item in the budget for those items. It was discussed that there are allowances for meals in the local union agreement for the DPW employees during their working hours. Diane Laudenbach explained there are employees who attend seminars to obtain CEU's, which are needed for their titles and that the meals are included in most of the programs.

There was a discussion regarding employees or officials who obtain credits or certification for their titles and whether those who do not need credits for their title, should be attending conferences.

The Township Committee suggested that supervisors be asked to submit budget requests to include conference and training seminar expenses along with a memo explaining the need for an amount to be budgeted for those type of requirements.

OLD BUSINESS

Draft Ordinance to Amend Setbacks of Scenic Corridor Overlay – Referred Back to Planning Bd.

Mayor Lubitz noted the Planning Board has not had a chance to discuss this at their last meeting. This will be tabled until the next month.

Discuss Repairs to Municipal Building

Deputy Mayor Dodds noted that the engineer is working on the plans.

United Reformed Church BI 12 L 25

Deputy Mayor Dodds explained that there is nothing new to report at this time.

Discuss Amendments to Chapter 57 – Animals

Sandra McNicol the township's Dog License Agent was present and explained that she has reviewed Chapter 57 Animals ordinance for the past several months. She feels that this ordinance needs to be updated regarding policies, rules and regulations which have changed over the years and pertain to what is happening now. She suggested several changes that she and Deputy Mayor Dodds worked on together. She also made changes from the comments and suggestions she obtained from Animal Control Solutions.

There was a lengthy review of the amendments made to the language of the ordinance. The Township Committee thanked Sandra McNicol for all her hard work on the ordinance.

MINUTES

September 15, 2014 Regular Meeting

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve the September 15, 2014 Township Committee Regular Meeting Minutes with the following corrections:

Corrections: No Corrections

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

September 15, 2014 Executive Session

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve the September 15, 2014 Executive Session Meeting minutes.

Corrections: No Corrections

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

EXECUTIVE SESSION

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

Mayor Lubitz announced it was very late and items that remain for the executive session will be discussed at the next Township Committee meeting. The Township Committee did not enter into Executive Session.

ADJOURNMENT

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to adjourn the meeting at 11:47P.M. All voted Aye on Roll Call Vote.

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

