

KINGWOOD TOWNSHIP COMMITTEE

Regular Meeting Agenda

November 6, 2014 – 7:00PM

Call to Order

Pledge of Allegiance

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act by publication of the notice in the Hunterdon Democrat and Courier News on January 9, 2014 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 6, 2014. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 6, 2014.

In order to ensure full public participation in this meeting, all members of this Committee or Board, and also members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

Roll Call

Public Comment – Privilege of the Floor

Guest Speaker – David Reading, Update Report on Slacktown Cemetery

Ordinance

Ordinance No. 18-12-2014 Creating A Safety Zone Within 450 Feet Of Township Parks, Playgrounds And Schools – Public Hearing and Final Adoption

Correspondence

Resolutions re: Proposed PennEast Pipeline: Clinton Town, Franklin, Holland, Hopewell (2), Lambertville, Milford, West Amwell – **Resolution No. 2014 – 106 Requesting the Federal Energy Regulatory Commission (FERC) to Conduct a Formal Scoping Meeting in Lieu of an Open House Format**

Letter from M Haring, ZBA Chair re Request for Attendance Requirement
Memos from T Rainey, Mgr Hunterdon Cty Div of Public Hlth Servs re County Administered Animal Control Officer Servs

Letter from S Miller, SADC re: Rights-Of-Way Inquiry Bl 6 L 12 & 13.01

Memo & Copy of Resolution from TCTANJ re Request for Resolution

Thank You Letter from HC Animal Response Team re Community Day

Letter & Info from NJDEP re: Radon Action Month

Press Release from Lebanon Township re Hagedorn Facility for Ebola Quarantine

Letter from Court Judiciary re: Annual Visitation

November 6, 2014 Township Committee Agenda Continued

Correspondence Continued

Copy of Draft NJ Pollutant Discharge Permit Action from NJDEP re MEL Chemicals
Letter from Washington-Crossing Audubon Society re Opposing Proposed PennEast
Pipeline

Copy of Letter to PennEast from Mayor, Freeholders, Legislators

Resolution No. 2014-99 - Budget Appropriation Transfers

Bills and Claims

Reports

NJSP Report

Emergency Management Coordinator

Animal Control Report of September 2014

Construction Reports of October 2014

Court Report of September 2014

Finance Department:

Budget Report of September 2014

Tax Collector's Report of September 2014

General Code Enforcement Report of October 2014

Township Engineer's Report

Future Meetings & Activities

November 8 - Recycling at DPW on Union Rd. between 9:00am-12:00noon

November 8 - Cty Household Hazardous Waste Cleanup Day at Rte 12 Complex
From 9:00am-1:00pm

November 8 - Senior Dinner at Kingwood Methodist Church beginning at
1:00pm, must pre-register

November 27 - 2nd Annual Huffin For Stuffin 5k Run/Walk at Kingwood Park

December 4 - Regular, Monthly Meeting of Township Committee at Municipal
Building, beginning at 7:00pm

December 6 - Annual Tree Lighting at Kingwood Park beginning at 4:00PM

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

Resolutions

Resolution No. 2014-100 - Reimbursement for Security Deposit East Coast
Silken Windhound Assoc

Resolution No. 2014-101 - Approval of Open Space Preservation App for Bl 33 L 25

Resolution No. 2014-102 - Appointing Part Time Seasonal Workers

Resolution No. 2014-103 - Authorize Purchase Through County Cooperative
Pricing of Snow and Ice Materials

November 6, 2014 Township Committee Agenda Continued

Resolutions Continued

Resolution No. 2014-104 - Authorize Purchase Through HCESC Pricing of Fuel Oil, Diesel Fuel & Gasoline

New Business

Application for Person-To-Person Transfer of ABC License 1016-44-002-006
Applications for Raffles License – KT Education Foundation (2)
Proposed Amendment to County WQM Plan Frenchtown WMP Chapter and Review Letter from Environmental Commission
Discuss Advertising Request for Proposals for Professional Services
Price Quotations For Tractor Parts For Kingwood Park
Request From Parks & Recreation Committee

Old Business

PennEast Pipeline – Draft Mapping Letter to FERC, Discuss Purchase of 10-29-2014 Mtg Transcript
Draft Ordinance to Amend Setbacks of Scenic Corridor Overlay
Discuss Amendments to Chapter 57 - Animals
Discuss Repairs to Municipal Building
United Reformed Church Bl 12 L 25

Minutes

October 2, 2014 Regular Meeting

Executive Session – Resolution No. 2014-105

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

November 6, 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 Tara St. Angelo, C.F.O. Diane Laudenbach, Deputy Clerk Cynthia Keller and Clerk Mary MacConnell. Mayor Lubitz called the meeting to order and following the salute to the flag, read aloud the following:

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act by publication of the notice in the Hunterdon Democrat and Courier News on January 9, 2014 and by telefaxing copies of the notice to the Express Times and Star Ledger on January 6, 2014. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 6, 2014.

In order to ensure full public participation in this meeting, all members of this Committee or Board, and also members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

David Reading, Mount Amwell Project Inc. – Update on the Slacktown Cemetery

David Reading from the Mount Amwell Project Inc. introduced himself and reviewed an update of the restoration project of Slacktown Cemetery located on Locktown Road. He explained that their organization is a nonprofit organization, and that the preservation and maintenance of cemeteries are within their organizational purpose. He explained that last year they had two goals, short term and long term. He explained that the short term goal was to get volunteers to clear the cemetery, which they did. He noted the long term goal was to pursue the identification of the legal owners of the cemetery, which is currently listed on the tax book as unknown.

He noted that after a lengthy time of researching, they found that the American Baptist Church of New Jersey was the successor of the American Baptist Convention the owner of the cemetery. He explained that he sent out a package to their Administrative Executor, and was able to convince him that they were the owners. He stated that they were willing to hand over the property to them as long as the Mount Amwell Project Inc. agreed to take care of it. David Reading explained that he is now present this evening to ask the township if they would be willing to become the owners of the cemetery and agree to accept the deed from the American Baptist Church of New Jersey.

He stated that the Mount Amwell Project Inc. organization has agree to maintain it. He noted that a letter was sent to Dr. Lee Spitzer asking him to do a quit claim deed to Kingwood Township. He handed out a copy of the letter to the Committee Members.

There was a discussion regarding whether the Mount Amwell Project Inc. owns any cemeteries in the area. David Reading replied that they do, but they really don't want to accept the deeds for these cemeteries, because it becomes an expense to them, due to insurance.

David Reading explained that on November 16th, 2013, a cleanup was done at the cemetery and a group that restores other cemeteries also helped. He noted also that the township Department of Public Works helped by chipping the branches and debris. He explained the additional work they plan to do on this cemetery in the spring.

Attorney St. Angelo suggested that the township contact their insurance company. Mayor Lubitz noted that the township will make the town historian aware of this cemetery.

The Township Committee agreed to obtain ownership of the cemetery as long as Mount Amwell Project Inc. organization maintains it. The Township Committee Members thanked Mr. Reading for coming to the meeting this evening. Mayor Lubitz stated that they have done a wonderful job on this project.

Mayor Lubitz stated that the Township Committee will be taking public comments at this time. He noted that the township will not be adopting Ordinance No. 18-12-2014 this evening. He explained that they received a lot of feedback, and they feel that they need to work out some of the issues.

Mayor Lubitz noted that for those who have taken the time to read the ordinance, please note that Kingwood Township is a farming and hunting community and that they did not want to disrupt this part of the township. He explained that the township has explicitly stated that there is nothing in the ordinance preventing anyone to own, carry or protect your home by having a weapon. He explained that the Agriculture Advisory Committee has expressed plenty of testimony that the deer count for more than 25% loss of crops. He stated that most of us support hunting and that the township has opened up more than 600 acres for public hunting. He wanted everyone to understand that the township is not against hunting. He mentioned the monthly report from the local state police, which listed several accidents caused by deer. He stated that the township realizes that this ordinance has upset a lot of people in the township, and that they would like to give everyone a chance to speak this evening.

Deputy Mayor Dodds stated that he would not be voting for the proposed ordinance as it unduly affected hunting around the parks.

The following residents commented and expressed their reasons for opposing the proposed ordinance:

Greg Smith – Route 29
Paul O’Hea – Horseshoe Bend Rd
Frank Kocsis – County Rt. 519
Russ Oakes – Horseshoe Bend Rd
Ryan Kocsis – Route 12
MaryLou Haring – County Rt. 519
Lou Reiner – Raritan Twp. – Committeeman Elect
Antimo Russano – Milltown Rd
Tony Danese – Union Rd
John Snyder – Route 29
Guy DeSapio, Attorney in Frenchtown and resident of Kingwood – Ridge Rd

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

- Concerns of the ordinance taking away from major parts of property
- Township regulations taking away from prospective purchasers
- Suggestions to close the Horseshoe Bend Park during hunting season
- Ordinance is preventing those from keeping deer away from farm crops
- Suggestion to form a committee to work on a new ordinance
- Comment regarding living in township for 14 years and nothing bad has happened
- Comments on the requirements of the NRA guidelines and how they follow them
- Complaints of trail on Horseshoe Bend Park being too close to home
- Feels that existing ranch on their property is more than adequate
- Asked if the township would be making any motions to adopt the ordinance
- Proposed to abolish the Horseshoe Bend Park and sell the land
- Asked for all three Committee Members to vote no for the ordinance
- Feels that the ordinance will affect and hurt too many people
- Asked township to start over on this Ordinance and get help from the people who care
- Feels that the range requirements in the ordinance is not fair to the residents
- Suggested that the township just abolish the ordinance
- Feels that the township is turning the township into a city
- Suggestion of putting a range in the Horseshoe Bend Park
- Concerns living near Horseshoe Bend Park – not being allowed to hunt on own property

There was a question as to why doesn’t the township open a range on the park grounds. Deputy Mayor Dodds noted that the township has had some discussion with the Division of Fish & Wildlife, and it is a possibility to have a range on park grounds in the future.

Lawrence Herrighty – Oak Summit Rd, Assist. Director for the NJ Division of Fish & Wildlife, Stated that he is also a Kingwood resident and I want to urge you to take up a suggestion, which would be to throw this ordinance out. I disagree with your assessment that you can decide to have hunting in the park on municipal land, and tell people on private land that they cannot. I don’t want to spend any money on lawyers, and I am sure you don’t, no offense, to solve that issue. The State has rights over hunting and I know that it is a safety issue and I appreciate that.

When I reached out to Deputy Mayor Dodds regarding this ordinance, he immediately agreed to meet with me and Cindy a woman I work with, who is our expert on ordinances and hunting issues. I met with Russell Oakes and we gave him suggestions, and I feel that he has done a good job on his berm. The only problem is that it needs a little bit of height to it. Mayor Lubitz asked Larry Herrighty, how high the berm should be. Larry Herrighty responded by stating you know, it's different and the only thing different about the ranges are, I can tell you right now, 90% of our ranges would not meet NRA Standards. The manuals as I said last night at the Parks and Recreation Committee, states that if you don't meet those standards it does not mean you are negligent, but that it is only their recommendation. Mayor Lubitz stated they talk about them as site specific. Larry Herrighty stated the State range berms are approximately 20 to 30 feet tall, and that they all don't have side berms on them, but that the State ranges are open 365 days a year. In this situation, it is family members using it, and we did make the recommendation to Mr. Oakes to build a fence with a roof on it to prevent muzzle, which Mr. Oakes has done. Larry Herrighty stated I think we have a few more suggestions that would improve it.

Mayor Lubitz asked Larry Herrighty to provide this information in writing, just so that it gives us here at the township some guidance. Larry Herrighty stated, yes we can give you some guidance. Mayor Lubitz stated that Larry Herrighty was our expert when the township developed hunting at the Horseshoe Bend Park. Larry Herrighty responded by stating, I did work with the township by helping open the Horseshoe Bend Park up for hunting, because it is an important deer management issue for farming and land owners and people driving motor vehicles.

Larry Herrighty noted that the township has a concern about the playground at Kingwood Park. He explained that the State's ordinance only states school playgrounds. He explained that he spoke to the captain in his agency for law enforcement at the northern regional office, and he assures me that we enforce that liberally. I think the fact that the schools property is all contiguous down to the park and we have school age kids there and probably in the future will have some elementary school children. He noted there are baseball games, as Deputy Mayor Dodds pointed out that we are covered by the State ordinance. I can tell that public safety is a major issue of my agency, especially with children. I think that there are a lot of adjacent property landowners that shoot, and I don't think any of you present are purposely pointing your gun or range at Kingwood Park. He stated, I heard about an issue of a suggestion that there will be a subcommittee, and I am willing to work on the committee and feel that we can solve this problem without any kind of ordinance.

Larry Herrighty stated that he wanted to thank the Township Committee for getting rid of this ordinance.

David Hewitt, Parks and Recreation Committee Chairman– Kingwood Byram Rd – Commented on the Parks and Recreation Meeting last evening. Mr. Hewitt feels that the Parks and Recreation Committee have always been responsible for all the parks in the township.

He feels that the Township Committee should have included the Parks and Recreation Committee when developing this ordinance. He asked the Township Committee to please consider including them in the future when it pertains to the parks in Kingwood. Mayor Lubitz apologized and stated that this was an oversight. He noted that when the township forms a subcommittee that they certainly will include a member from the Parks and Recreation Committee.

Mayor Lubitz explained that David Hewitt has been a longtime volunteer for the township, not only for the Parks and Recreation Committee, but is also a member of the township's Board of Adjustment. He stated that if you have ever been to any of our events, you can be sure that David Hewitt will be there. He thanked David Hewitt for all of his time and efforts he has put into the township over the years.

Marylou Haring, Chairwoman of the Board of Adjustment, 867 County Route 519 – Expressed that she hopes that the Township Committee all vote no for this ordinance to be adopted. She noted that if the township feels that there is a need for an ordinance like this, then have a meeting to get the public's opinion. She feels that it hurts too many people and feels that it should go back to the drawing board, get participation and input from all these people that have attended this evening.

Mayor Lubitz explained that Marylou Haring is a member on the Board of Adjustment and volunteers an enormous amount of time here at the township. He thanked Marylou for her comments.

ORDINANCE

ORDINANCE NO. 18 – 12 – 2014 AN ORDINANCE CREATING A SAFETY ZONE WITHIN 450 FEET OF TOWNSHIP PARKS, PLAYGROUNDS AND SCHOOLS - 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 2nd day of October, 2014. The Ordinance was published in the Hunterdon County Democrat on October 16th, 2014 and has been posted in the Kingwood Township Municipal Building on October 3rd, 2014. Copies of the Ordinance have been available for inspection by the public since October 3rd, 2014.

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

Public Hearing Comments:

Russell Oakes, Horseshoe Bend Road, Commented and feels the reason we are here this evening is because of an incident that happened on his property regarding his range.

He noted that he obtained guns for his boys to shoot and some of the bullets went through the wood and then the steel. He stated that after that incident, they never shot again until he build a larger backstop. He noted that he would never do anything that would be harmful to anyone.

Pat Baumlin – Fairview Rd. Asked if the ordinance is voted down, will it ever come up in the future? Mayor Lubitz responded by stating there will be a subcommittee to work on an ordinance, because there are still safety concerns that still exist. He noted that this particular ordinance and its format will be abolished. Pat Baumlin noted that recently walking trails have been built near Fairview Road along her property, therefore, she feels that by doing this her husband would not be able to hunt on his own property. Mayor Lubitz noted that her husband will be able to hunt, because this ordinance will not be adopted.

Mayor Lubitz asked if there were any other public comments. There were no other public comments at this time.

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

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to withdraw **Ordinance No. 18 – 12 – 2014 An Ordinance Creating a Safety Zone within 450 Feet of Township Parks, Playgrounds and Schools** and to never bring this ordinance back again.

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

CORRESPONDENCE

Resolutions Re: Proposed PennEast Pipeline: Clinton Town, Franklin, Holland, Hopewell (2), Lambertville, Milford, West Amwell

Mayor Lubitz commented on the resolution from Hopewell Township. He noted that they are asking for a scoping meeting in place of an open house. Deputy Mayor Dodds described what a scoping meeting is all about. The Township Committee all agreed to adopt a resolution for Kingwood Township that is similar to Hopewell Township's resolution.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2014 – 106

**REQUESTING THE FEDERAL ENERGY REGULATORY COMMISSION (FERC)
TO CONDUCT A FORMAL SCOPING MEETING IN LIEU OF AN
OPEN HOUSE FORMAT**

WHEREAS, the natural gas pipeline proposed by PennEast Pipeline Company, LLC is presently the only proposed pipeline route in the State of New Jersey that is not in compliance with New Jersey policy of co-location in an existing Right of Way; and§

WHEREAS, the construction of the proposed PennEast Pipeline will, therefore, certainly cause irreparable harm to the environment and resources of Kingwood Township; and

WHEREAS, due to PennEast Pipeline Company, LLC not co-locating the proposed pipeline route, as a result it is absolutely necessary to take steps to assure alternatives including co-location will be fully evaluated and then ordered, as is prescribed by the United States National Environmental Policy Act (NEPA); and

WHEREAS, the express Congressional purpose of NEPA is: “To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation”; (National Environmental Policy Act, 42 U.S. Code § 4321); and

WHEREAS, the National Environmental Policy Act requires that:

“(2) all agencies of the Federal Government shall-----

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on-----

- (i) the environmental impact of the proposed action,
- (ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,
- (iii) alternatives to the proposed action,
- (iv) the relationship between local short-term uses of man’s environment and the maintenance and enhancement of long-term productivity, and
- (v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

(E) study, develop and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning

alternative uses of available resources: (42 U.S. Code § 4322); and

WHEREAS, to date, PennEast Pipeline Company, LLC scheduled only one (1) Open House meeting for a two (2) hour period for all stakeholders and the public in New Jersey, and as the Open House meetings do not offer a reasonable opportunity for stakeholders and the public to provide specific information to PennEast Pipeline Company, LLC for use in preparing the required environmental resource review materials for submission to FERC; and

WHEREAS, given the short timeline of the FERC review process it is critical to provide fair and reasonable opportunities for all stakeholders and the public to identify all relevant issues for this major pipeline project, pursuant to the National Environmental Policy Act; and

WHEREAS, Scoping is the process of defining and refining the scope of an environmental impact statement (EIS) and the alternatives to be investigated pursuant to the FERC rules; and

WHEREAS, in order to assure timely and relevant information is provided to FERC by PennEast Pipeline Company, LLC, a reasonable and sufficient number of Scoping meetings should be held with at least two weeks advance written notice provided to all stakeholders and to the public within the communities that are or may be impacted by this proposed pipeline; and

WHEREAS, the proposed route is expected to change a number of times between this date and when PennEast Pipeline Company, LLC may decide to file a formal application with FERC; and

WHEREAS, all route changes will impact and irreparably harm previously unidentified lands, and Scoping meetings may not have addressed the environmental impacts to lands on newly proposed routes;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that the Township Committee shall hereby take all steps necessary to ensure that all PennEast Pipeline Company, LLC proposed routes be reviewed in detail and in full compliance with the fundamental public policies and directives for the protection of environmental resources and for the implementation of alternatives when unresolved conflicts arise as set forth in the National Environmental Policy Act, U.S. Code § 4332€; and

BE IT FURTHER RESOLVED that the Township Committee hereby finds and urges that due to our significant environmental resources – including but not limited to Category 1 surface waters, environmentally sensitive lands, preserved open space, preserved farmlands, organic farmlands, public parklands and lands protected with conservation easements – that will be irreparably harmed if the PennEast Pipeline is constructed as proposed, a complete Environmental Impact Statement (EIS) be conducted in accordance with the National Environmental Policy Act; and

BE IT FURTHER RESOLVED that the Township Committee hereby urges FERC to give due and careful consideration to the overall cumulative impact of building a completely new pipeline through the Township’s significant environmental resources and to the State policy of co-location in existing Right of Ways; and

BE IT FURTHER RESOLVED that the Township shall take all necessary steps to ensure that a sufficient and reasonable number of Scoping meetings shall occur with at least two (2) weeks written notice to all stakeholders and the public in all impacted communities regarding any and all proposed routes and route changes with the goal of ensuring that the EIS will include accurate, detailed and complete documentation and analysis of all environmental resources along all proposed routes including the “final” route, at least two weeks in advance of PennEast Pipeline Company, LLC filing any formal application with FERC; and

BE IT FINALLY RESOLVED that a copy of this Resolution be distributed to Governor Chris Christie, U.S. Senator Cory Booker, U.S. Senator Robert Menendez, Congressman Leonard Lance, Senator Michael J. Doherty, Assemblyman John DiMaio, Assemblyman Erik C. Peterson, Hunterdon County Board of Chosen Freeholders, Delaware River Basin Commission, Hunterdon County Municipalities and Hopewell Township.

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

Letter from M. Haring, Zoning Board of Adjustment Chair re - Request for Attendance Requirement

The Township Committee members reviewed the request letter from Marylou Haring, Board of Adjustment Chairwoman, regarding the Zoning Official. Mayor Lubitz noted that he has spoken to Marylou Haring regarding this request and that they will discuss this further.

Memos from T Rainey, Mgr Hunterdon Cty Division of Public Hlth Servs. Re: County Administered Animal Control Officer Service

Mayor Lubitz explained the memo. He stated that the county is exploring and is now going to have a County Wide Animal Control Officer Service.

There was a brief discussion with C.F.O. D. Laudenbach regarding the charges for the current Animal Control Service. She noted that the monthly charge is \$630.00. The Committee Members reviewed the memo from Hunterdon County Division of Public Health.

The Township Committee all agreed that the township should look into this service further and respond by letter that they are interested.

Letter from S Miller, SADC re Rights-Of-Way Inquiry Bl 6 L 12 & 13.01

Mayor Lubitz reviewed the letter from S. Miller from the State Agriculture Development Committee. He explained that the SADC is considering acquiring an agriculture development easement on Block 6, Lots 12 and 13.01. He noted they are concerned that if the application is successful, the easement will be acquired under the provisions of N.J. State Statutes, and will result in the permanent preservation of this land for farmland preservation purposes. It noted that the easement will not include acreage for rights-of-way or provision for widening or improving rights-of-way along any federal, state, county or municipal roads, which abut the property.

The SADC would like the township to advise them in writing, whether the township intends or needs to widen Ridge Road now or sometime in the future, in a manner that will impact the property. They included a map of the property and a form for the township to fill out and send back, this way proper surveys can be drawn depicting the correct area to reserve.

Mayor Lubitz explained that he spoke to the township engineer about this, and that they will supply language showing that the township will maintain 25 feet.

Memo & Copy of Resolution from Tax Collectors Treasures Association of New Jersey re: Request for Resolution

Mayor Lubitz reviewed. There was a brief discussion regarding this resolution.

Thank You Letter from HC Animal Response Team re - Community Day

Mayor Lubitz reviewed.

Letter & Info from NJDEP re: Radon Action Month

Mayor Lubitz reviewed.

Press Release from Lebanon Township re: Hagedorn Facility for Ebola Quarantine

Emergency Management Coordinator – Jack MacConnell commented on the use of the facility and several other locations that have been designated. He noted that these are for those who have had exposure, but no symptoms of Ebola. He explained that if they become symptomatic they will be sent to Hackensack, College of New Jersey Medicine and Dentistry, or Robert Wood Johnson in New Brunswick.

Letter from Court Judiciary Re: Annual Visitation

Mayor Lubitz reviewed the letter from the NJ Court Judiciary. He explained that they visited the township municipal court to complete the Judiciary’s annual, comprehensive report. He noted this letter is asking the township if they have any concerns or issues regarding the Court’s operations, staffing, customer service and security that should be considered during either the general or an in-session visitation process. It was noted that the Court Administrator explained that a steel door is needed for the court office.

The Committee Members discussed how they will replace the door, and that it will be done as soon as possible.

Deputy Mayor Dodds reviewed an update from the Township Engineer regarding the repairs needed at the municipal building.

Copy of Draft NJ Pollutant Discharge Permit Action from NJDEP re MEL Chemicals

Mayor Lubitz reviewed.

Letter from Washington-Crossing Audubon Society re: Opposing Proposed PennEast Pipeline

Mayor Lubitz reviewed.

Copy of Letter to PennEast from Mayor, Freeholders, Legislators

Mayor Lubitz reviewed.

RESOLUTION

Resolution No. 2014-99 - Budget Appropriation Transfers

The following Resolution was introduced:

**RESOLUTION NO. 2014 – 99
2014 BUDGET APPROPRIATION TRANSFERS**

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 make the following transfers within the 2014 Budget Appropriations:

FROM ACCOUNT	TO ACCOUNT	AMOUNT
Legal – Other Expense	Zoning Official – Other Expense	\$100.00
	Contribution to DCRP – Other Expense	\$208.14
	COAH – Other Expenses	\$1144.00
	Interest on Notes – Other Expense	\$1.00

He explained that he has been working with the individuals who are working on the overhead wires and that they are doing a very good job.

He noted that there is a PennEast meeting at South Hunterdon High School on November 13th. He has also received a shelter agreement from CART from Hunterdon County to use the Horseshoe Bend Park for a shelter. He feels that there is no water or a pollution plan, but that the township would be able to help them out if they had no other place to go. He asked the Township Committee their thoughts on this idea. He also reported attending a pipeline safety meeting with Deputy Mayor Dodds. He noted that he left a message with Buckeye Pipeline to speak with them about the proposed PennEast Pipeline.

Animal Control Report of September 2014
Construction Reports of October 2014
Court Report of September 2014
Finance Department:
Budget Report of September 2014
Tax Collector's Report of September 2014
General Code Enforcement Report of October 2014
Township Engineer's Report

FUTURE MEETINGS AND ACTIVITIES

Mayor Lubitz reviewed as per the Agenda.

RESOLUTIONS

Resolution No. 2014-100 - Reimbursement for Security Deposit East Coast Silken Windhound Assoc.

The following Resolution was introduced:

RESOLUTION NO. 2014 – 100

REIMBURSEMENT FOR SECURITY DEPOSIT

WHEREAS, the East Coast Silken Windhound Association, 738 Little Mountain Road, Palmyra, VA 22963 rented the Morton Building facility at the Horseshoe Bend Park on Horseshoe Bend Road for a dog club event on Friday, October 10th and Saturday, October 11th, 2014; and

WHEREAS, the Township of Kingwood requested a security deposit from the East Coast Silken Windhound Association, 738 Little Mountain Road, Palmyra, VA 22963 for the use of the facility for Friday, October 10th and Saturday, October 11th, 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 East Coast Silken Windhound Association, 738 Little Mountain Road, Palmyra, VA 22963.

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. 2014-101 - Approval of Open Space Preservation App for Bl 33 L 25

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2014 – 101

**APPROVAL OF APPLICATION FOR OPEN SPACE PRESERVATION
FOR PROPERTY LOCATED AT BLOCK 33 LOT 25**

WHEREAS, the owners of Block 33 Lot 25 have been seeking a way to preserve this property; and

WHEREAS, the Hunterdon Land Trust has applied for County Non-Profit Grant funding to cover part of the cost of this project; and

WHEREAS, the Hunterdon Land Trust will continue to seek other sources of funding to complete the project; and

WHEREAS, Hunterdon County needs confirmation that the Township approves the preservation of this property;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that Kingwood Township approves of the below application located within Kingwood Township:

Maritan Inc. Block 33 Lot 25

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Hunterdon Land Trust and Hunterdon County.

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. 2014-102 - Appointing Part Time Seasonal Workers

RESOLUTION

The following Resolution was introduced:

**RESOLUTION NO. 2014 – 102
PART TIME SEASONAL WORKERS**

WHEREAS, the Township is in need of part time seasonal help during only certain times of the year, such as for snowplowing and grass mowing;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that Michael Gallagher, Mark Hendrickson, Jack Search and Harold Ryan are appointed as part time seasonal workers for the Department of Public Works for the year 2014 - 2015, at a rate of \$20.00 per hour.

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. 2014-103 - Authorize Purchase Through County Cooperative Pricing of Snow and Ice Materials

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2014 - 103

**AUTHORIZING PURCHASE THROUGH COUNTY
COOPERATIVE PRICING OF SNOW AND
ICE MATERIALS**

WHEREAS, Kingwood Township has a need for certain goods and services that are offered through cooperative pricing with the County of Hunterdon; and

WHEREAS, N.J.S.A. 40A:11-10 and 11-11 authorize a municipality to enter into cooperative pricing agreements with a County for the provision of goods and services through a County, rather than through public bidding; and

WHEREAS, the Township of Kingwood is a member of the County of Hunterdon Cooperative Pricing System.

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

1. The Township of Kingwood, as a member of the Hunterdon County Cooperative Pricing System, hereby authorizes the purchase of Snow and Ice Control Materials from the low bidder for these items, Atlantic Salt, Inc., per the bid amounts set forth in correspondence from Hunterdon County dated October 22, 2014, attached hereto and made a part hereof as Exhibit A.

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. 2014-104 - Authorize Purchase Through HCESC Pricing of Fuel Oil, Diesel Fuel & Gasoline

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2014 - 104

**AUTHORIZING PURCHASES FROM ALLIED OIL AND
PETROLEUM TRADERS THROUGH THE
HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION**

WHEREAS, Kingwood Township has a need for certain goods and services that are offered through cooperative purchasing with the Hunterdon County Educational Services Commission (“HCESC”); and

WHEREAS, N.J.S.A. 40A:11-10 and 11-11 authorize a municipality to enter into cooperative pricing agreements with an educational services commission for the provision of goods and services through an educational services commission, rather than through public bidding; and

WHEREAS, the Township of Kingwood, by way of Resolution 2009-24, authorized the entry of the Township as a member of the Hunterdon County Educational Services Commission, which membership has been accomplished; and

WHEREAS, the Township of Kingwood desires to purchase fuel oil, diesel fuel and gasoline through the Hunterdon County Educational Services Commission.

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

1. The Township of Kingwood, as a member of the Hunterdon County Educational Services Commission, hereby authorizes the purchase of fuel oil and diesel fuel from the low bidders for these items, Petroleum Traders and Allied Oil, per the bid amounts set forth in correspondence from the Hunterdon County Educational Services Commission dated October 8, 2014, attached hereto and made a part hereof as Exhibit A.

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 Person-To-Person Transfer of ABC License 1016-44-002-006

Mayor Lubitz noted that this application for a Person to Person Alcohol Beverage License has not been cleared at this time regarding their background check, therefore, the township cannot take any action on this License.

Applications for Raffles License – KT Education Foundation (2)

The Township Committee Members reviewed the applications from the Kingwood Township Education Foundation.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve Raffle License No. 2014-09 for an off premise 50/50 Raffle to be drawn on March 21, 2015 from 6:00pm until 10:00pm. at Razberry's Banquet Facility.

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

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve Raffle License No. 2014-10 for a Casino Night to be conducted on March 21, 2015 from 7:00pm until 11:00pm. at Razberry's Banquet Facility.

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

Proposed Amendment to County WQM Plan Frenchtown WMP Chapter and Review Letter from Environmental Commission

The Township Committee reviewed the proposed amendment. Mayor Lubitz explained that the purpose of this letter is that the Hunterdon County Planning Department is requesting a written statement of consent from the township for the proposed Water Management Plan amendment.

Mayor Lubitz also reviewed the letter of recommendation and concerns from the Environmental Commission. There was a brief discussion regarding the amount of homes in the Frenchtown area.

Mayor Lubitz suggested that the township respond by letter and recommend they investigate the concerns submitted by Township's Environmental Commission before they approve this amendment.

Discuss Advertising Request for Proposals for Professional Services

The Committee Members briefly discussed advertising for a request for proposals for professional services. It was noted that there is a cycle every couple years to solicit proposals for professional services.

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve to solicit proposals for professional services for a Township Attorney.

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

Price Quotations For Tractor Parts For Kingwood Park

Deputy Mayor Dodds explained that the Parks and Recreation Committee discussed at their last meeting that they would like to recommend to the Township Committee to approve the purchase of new parts in the amount of \$4,500.00 to repair the existing tractor in place of purchasing a new tractor for the Kingwood Park.

This would be for a new deck, lift arm parts and braces, which are needed. Chairman of the Parks and Recreation Committee, David Hewitt noted that it would only cost 20% of what the cost would be to replace the mower. The Committee Members feel that the Park Directors are doing a great job.

It was moved Mrs. Haywood, seconded by Mr. Dodds and carried to approve the expenditure not to exceed \$4,500.00 for mower parts for the Kingwood Township Park tractor.

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

Request From Parks & Recreation Committee

The Township Committee reviewed the request from the Parks and Recreation Committee regarding ordinances that are adopted that pertain to parks in the township. The request was that they would like to be included when the Township makes any changes or creates any ordinances that have anything to do with any of the parks in Kingwood Township.

Mayor Lubitz noted that he feels that this is a reasonable request, and that he intends to include a member of the Parks and Recreation Committee to be part of the subcommittee when discussing safety ordinances for parks.

OLD BUSINESS

PennEast Pipeline – Draft Mapping Letter to FERC, Discuss Purchase of 10-29-2014 Mtg. Transcript

Clerk MacConnell explained that the township has not received the draft mapping letter. She also asked the Committee Members if they would be interested in purchasing the transcript of the pipeline meeting of October 29, 2014.

The Committee Members all agreed that the township can always order the transcript if they need it, but for now the minutes that the township prepares will be sufficient.

Draft Ordinance to Amend Setbacks of Scenic Corridor Overlay

There was a brief discussion regarding introducing this ordinance to amend setbacks of the scenic corridor overlay. It was agreed by all that this ordinance be considered for adoption in 2015. Mayor Lubitz noted that the Planning Board Attorney can then prepare the ordinance to be introduced.

Discuss Amendments to Chapter 57 – Animals

The Township Committee Members thanked Sandra McNicol, the township’s Dog Registrar and Attorney Tara St. Angelo for working on the amendments to this ordinance to bring it up to date. The Committee reviewed the amendments and clarified some of the fines.

ORDINANCE

ORDINANCE NO. 18 – 13 – 2014 AN ORDINANCE AMENDING CHAPTER 57 ENTITLED “ANIMALS” OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, AND THE 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 – 13 – 2014 AN ORDINANCE AMENDING CHAPTER 57 ENTITLED “ANIMALS” OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, AND THE 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, December 4, 2014 at a meeting beginning at 7:00 P.M. at the municipal building.

Discuss Repairs to Municipal Building

Deputy Mayor Dodds explained that the original blue prints of the municipal building have been found. He noted that these plans were sent to the township engineer for a new survey. The Township Committee all agreed to budget for the repairs to the municipal building in the upcoming 2015 budget.

United Reformed Church Bl 12 L 25

Deputy Mayor Dodds noted that there is an area under the garage that needs to be cleaned up. He reviewed an e-mail from the environmental firm regarding the cleanup. He noted that two permanent 30’ wells need to be dug or until they hit ground water.

MINUTES

October 2, 2014 Regular Meeting

It was moved by Mr. Dodds, seconded by Mrs. Haywood and carried to approve the October 2, 2014 Township Committee Regular Meeting Minutes.

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

EXECUTIVE SESSION – RESOLUTION NO. 2014 - 105

The following Resolution was introduced to enter into closed session at approximately 9:28P.M.:

RESOLUTION NO. 2014 – 105

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 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

RETURN TO REGULAR SESSION

It was moved by Mrs. Haywood, seconded by Mr. Dodds and carried to return to regular session at 9:42P.M. **All** voted **Aye** on **Roll Call Vote**.

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

ADJOURNMENT

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

Respectfully Submitted,

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