

KINGWOOD TOWNSHIP COMMITTEE

Regular Meeting Agenda June 4, 2015 – 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 15, 2015 and by telefaxing copies of the notice to the Express Times on January 7, 2015. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 7, 2015.

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 – Liz Usmiani (HART) – Speed Survey Report for Barbertown Point
Breeze Road**

Correspondence

Letters and Emails re: Composting Toilet at HBP (Friends of HBP, G Spiotta,
L Hall, President, Readington Trail Assoc., S Auer,
Secretary, NJQHA, C Moran, S Data-Samtak)
Letter from NJ L.E.A.D. re: Services (forwarded to school)
Letter from HLT re: Thank you for Contribution

Public Comment – Privilege of the Floor

Bills and Claims

Reports

Emergency Management Coordinator
NJSP Report of May 2015
Animal Control Report 1st Qtr.
Construction Report of May 2015
Finance Department:
 Budget Report of May 2015
 Tax Collector's Report of April 2015
Township Engineer's Report

June 4, 2015 Kingwood Township Committee Agenda Continued

Future Meetings & Activities

- June 6 -** Senior Picnic at Kingwood Park, 200 Union Rd. beginning at 1:00pm
- June 13 -** Annual Fishing Derby at Pond at 255 Union Rd., 9:00am-12:00noon
- June 13 -** Recycling at Twp Garage on Union Rd from 9:00am-12:00noon
- June 13 -** Clean Up Program at Twp Garage on Union Rd from 9:00am-12:00noon, permit required
- July 2 -** Monthly Meeting of Township Committee beginning at 7:00pm at Municipal Bldg

Ordinances

Ordinance No. 18-05-2015 Amending Chapter 94 Entitled “Open Space And Recreation Areas” Of The Township To Include Rules And Regulations For The Leash Free Area Within Horseshoe Bend Park – Public Hearing and Final Adoption

Ordinance No. 18-06-2015 To Provide For The Resurfacing Of Roads As A General Improvement For The Township And Appropriating \$70,000.00 From The Capital Improvement Fund – Public Hearing and Final Adoption

Ordinance No. 18-07-2015 Amending Ordinance No. 18-04-2015 Fixing The Salaries And Compensation Of The Various Officers And Employees Of The Township – Introduction and Adoption on First Reading

Resolution No. 2015-59 – Amend Capital Budget and

Ordinance No. 18-08-2015 Bond Ordinance Providing For Acquisition Of Various Road Maintenance Equipment In And By The Township, Appropriating \$665,000 Therefor And Authorizing The Issuance Of \$633,000 Bonds or Notes To Finance Part Of The Cost Thereof – Introduction and Adoption on First Reading and

Ordinance No. 18-09-2015 Bond Ordinance Providing For Renovations To The Municipal Building In And By The Township, Appropriating \$115,000 Therefore And Authorizing The Issuance Of \$92,000 Bonds Or Notes To Finance Part Of The Cost Thereof – Introduction and Adoption on First Reading

Resolutions

Resolution No. 2015-60 - Governing Body Certification of Annual Audit & Group Affidavit Form

Resolution No. 2015-61 - Waiver to Launch Model Rockets at HBP (Science Camp)

Resolution No. 2015-62 - Refund of 2015 Duplicate Tax Payment Bl 33 L 3.01

Resolution No. 2015-63 - Reimbursement of Security Deposit to Somerset Hills Kennel Club

June 4, 2015 Kingwood Township Committee Agenda Continued

New Business

Application for 50/50 Raffles License – Our Lady of Victories RC Church
Authorize Secretary Position for Mount Laurel Subcommittee

Old Business

Slacktown Cemetery
PennEast Pipeline
United Reformed Church Bl 12 L 25
COAH – Affordable Housing Planning Memorandum – **Resolution No. 2015 – 65
Declaring Its Intent To Fully Comply With Its Current And Future Mount
Laurel Obligations And To Serve As The "Catalyst for Change" To Render
Any Mount Laurel Lawsuits As “Unnecessary Litigation”**

Repair of County Road 519 Bridges 110 & 111
Repairs to Municipal Building

Minutes

May 3, 2011 Special Meeting

May 7, 2015 Regular Meeting
May 7, 2015 Executive Session

Executive Session – Resolution No. 2015 - 64

Possible Zoning Violation – Bl 8 L 16 (Moskal)
Personnel – Discuss Amendments to Employee Handbook and Personnel
Policies and Procedures Manual
Possible Litigation – Block 14 Lot 28.01

Return to Regular Session

Comp Time for Road Supervisor

Adjournment

PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES

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June 4, 2015

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

Also present at the meeting were Deputy Mayor Diana Haywood, Committeeman Phillip Lubitz, Attorney Katrina Campbell, C.F.O. Diane Laudenbach, and Clerk Mary E. MacConnell. Mayor Richard Dodds 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 15, 2015 and by telefaxing copies of the notice to the Express Times on January 7, 2015. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 7, 2015.

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 – Liz Usmiani (HART) – Speed Survey Report for Barbertown Point Breeze Road

Liz Usmiani was present at the meeting to review the speed survey report for Barbertown Point Breeze Road. She noted about a year ago that they placed a speed sentry machine on Barbertown Point Breeze Road in July thru August of 2014. She described the location and stealth mode for first two weeks, then she noted it goes into the display mode. She stated that there was not a big difference between the two modes, but it might be due to the location and narrowing of the road in that area. She then reviewed the report. She noted that approximately 9,000 cars passed on the road during that month. She answered questions from the Township Committee Members.

Liz Usmiani noted that one way to slow the speed down on the road would be to paint a center line down the road, which would be low in cost. There was a brief discussion regarding the detour using Barbertown Point Breeze Road due to the county road bridge being down.

The Township Committee Members thanked Liz Usmiani for her presentation of the speed survey report of Barbertown Point Breeze Road.

CORRESPONDENCE

Letters and Emails re: Composting Toilet at HBP (Friends of HBP, G Spiotta, L Hall, President, Readington Trail Assoc., S Auer, Secretary, NJQHA, C Moran, S Data-Samtak)

It was noted that there were several requests sent to the Open Space and Parks and Recreation Committees from the public and organizations who use the Horseshoe Bend Park. They were requesting that a compost toilet to be permanently placed on the grounds at the Horseshoe Bend Park. Mayor Dodds briefly explained, that the Committees suggested it would be a good idea to form a subcommittee consisting of a few members of the Open Space Advisory Committee and the Parks and Recreation Committee to talk about the needs for the Kingwood Parks, including compost toilets. He explained that the compost toilet idea is on hold at this time, but that the Parks and Recreation Committee decided to rent two ADA accessible port a johns, which are now located on both sides of the Horseshoe Bend Park for the public use.

Letter from NJ L.E.A.D. re: Services (forwarded to school)

Mayor Dodds reviewed the letter from the Law Enforcement Against Drugs. The Committee Members suggested that this be forwarded to the Kingwood Township School.

Letter from HLT re: Thank you for Contribution

The Township Committee reviewed the thank you letter from the Hunterdon Land Trust and they suggested that this thank you letter be forwarded to the Open Space Committee as well.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Elaine Niemann – Thanked the Township Committee for their time. She also congratulated Mayor Dodds on his successful primary election results. She explained that she was present to ask the Township Committee to consider suspending any enforcement activities in the upcoming opening of a business in the township called, “Delaware River Tubing”, pending their completion of the variance process. She feels that if the business is not allowed to open on time, it will very likely fail. She stated with only ten weeks or so to operate, this can be very detrimental to their business. She shared several reasons why she supports this business. She also relayed some comments to the Committee Members from Warren Cooper, Mayor of Frenchtown Borough, which were very positive regarding the Delaware River Tubing.

Elaine Niemann thanked the Township Committee for their time and for servicing Kingwood Township.

Wes Siegel, Owner of Discount Auto Parts on Rt. 12 – Explained that he and his father are the owners of Discount Auto Parts on Rt. 12 in Frenchtown and since the tubing business has been here in our area, it has made a great impact on his business, as he works on their buses. He stated that he doesn't see why it's so hard for him to obtain a variance.

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He noted that he attended one of the Board of Adjustment meetings, and it seems they made a big mountain out of a molehill for a business that is only in operation three months out of the year. He pointed out how everyone in Frenchtown and Kingwood benefit from this business.

Laurie Hughs, area resident for 25 years– Explained that her son has worked for the Delaware River tubing since he was 15 years old and stated how it has really made him grow up.

Andy Ritter, owner of Foreign Auto Service on Rt. 12 – Commented that he has received a lot of business from having the Delaware River Tubing on Route 12. He noted that they are a very good business that cares about the environment and tries to be very compliant to what needs to be done. He stated that Kingwood doesn't have that many businesses here and that this business is positive for all the other businesses. He feels that since the Delaware River Tubing moved from Frenchtown to Route 12 in Kingwood Township, all the businesses along Route 12 have benefited from the people coming to our town.

Nash Hughs, employee for the Delaware River Tubing – Explained that he has worked for the Delaware River Tubing for three years, and depends on this position for his summer job. He noted that he has learned many life learning skills working for them and feels that working all the different positions was a great experience for him. He feels that not allowing the Delaware River Tubing to open their business this summer will hurt a lot of people.

Mayor Dodds noted that he cannot support taking any action until the Board of Adjustment has had a chance to make their decision.

Committeeman Lubitz thanked everyone for coming and appreciates their comments. He expressed his concerns as to what measure the Township will take in the future regarding every other business that wants to open right away. He feels that this is more than just the Delaware River Tubing, but that the Township is sending an informal message to businesses that the zoning regulations are flexible. He stated that in this case, there was already an enforcement in action, and that the Township crossed that bridge last year. He noted that it took the Delaware River Tubing a long time to obtain the proper approvals and that he was angry with them for not acting in a timely manner, because he would like to see them succeed in business.

Committeeman Lubitz stated that the Delaware River Tubing had 7 months to get their business in order. He noted that back in September he advised the Delaware River Tubing regarding getting their approvals as soon as possible, because he did not want to be in this position that we the Township are in this evening.

Deputy Mayor, Haywood noted that she supports what Committeeman Lubitz stated, but she feels that the process has taken a long time. She would like to do whatever the Township can reasonably do without violating any of the requirements.

Elaine Niemann- Explained that the difference is that the Delaware River Tubing has been here and existed for at least 10 years.

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She also pointed out that the business had to contract with the State of New Jersey to have access to the river, which the Delaware River Tubing actively pursued, but could not contract with the NJDEP until February of this year. She feels that it is not a matter of poor planning by the Delaware River Tubing, but that they couldn't control the State.

David Frank, Muddy Run Rd – Asked the Township Committee to refresh his memory regarding the update of the landscaping contract from the solar company, who constructed their solar fields on Muddy Run Road and Barbertown Point Breeze Road. He stated that he thought they were going to have a landscaping contract plan that was going to be approved by the township. He explained that it appears that the solar companies landscaping contract ended in the fall of 2015, and feels that the grounds are not being taken care of at all. He noted that they have not mowed the grass and that several trees they planted have died this past winter. He asked if someone could look into this contract. There was a discussion regarding the maintenance guarantee. Clerk MacConnell noted that she believes the contract has expired and that she will look into this and find out about the mowing and the dead trees.

Mr. Frank also commented on the speed survey report that was reviewed earlier in the meeting. He feels that the speed sign that was put up for the survey was placed in a bad spot, and that the cars are definitely going much faster than reported. He stated that he feels that the drivers are going extremely fast on Muddy Run Road since the bridge on Route 519 is out.

Mayor Dodds commented on his meeting with the County regarding Kingwood Locktown Road and Muddy Run Road.

The Township Committee thanked Mr. Frank for coming.

Greg Crance – Delaware River Tubing – Came up to speak to the Township Committee Members and stated he wanted to address them personally. He noted that Elaine Niemann covered everything that needed to be addressed, but that he wanted to personally apologize to Committeeman Lubitz for feeling the way he does.

Committeeman Lubitz stated to Mr. Crance, that he is letting down all the people that just testified for him. He stated by not moving along with this process and by jeopardizing things that are important to them, that he personally is letting them down. Greg Crance feels that he has operated for 9 years under the belief that he was doing everything right. He explained that he is on this time frame due to the State. He stated that he couldn't start the variance process if he didn't know if he could go forward, but that he had to wait for the State contract. Mr. Crance commented at great length.

Greg Crance noted that he is willing to do everything needed that the township would like him to do in order to be in compliance.

Committeeman Lubitz noted that he is concerned, because the Kingwood Municipal Court has found him out of compliance. He asked Mr. Crance how the Township Committee can allow him to go forward.

Greg Crance responded by stating he feels that they are showing all due diligence by completing all the necessary steps and variance process. He stated that if he is not going to be allowed to operate his business while going through the process of obtaining a variance that he will be out of business. He feels that the township will be shutting down his business. Mr. Crance stated that he is not asking to open, but to continue his business during the variance process.

The Township Committee thanked Mr. Crance for his comments.

BILLS AND CLAIMS

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to approve and pay all bills and claims in the amount of **\$776,818.94** that are in order and attached as Bill List for June 2015.

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

REPORTS

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

Emergency Management Coordinator

EMC Jack MacConnell was present to review his monthly report. He stated that he would like to get moving on the generators since the township has received the funds and all has been approved. Mayor Dodds asked C.F.O. D. Laudenbach to make sure all the paperwork is in order to go ahead with the generators.

Jack MacConnell reported on a field fire at the Horseshoe Bend Park, which he reported was up behind the AT&T cell tower behind the bowling alley on Route 12. He stated that one of the township's Emergency Management Members, also a State Fire Warden was present during the fire. Jack MacConnell noted that six fire departments came to the fire. He stated that the fire was spreading through the woods going towards Frenchtown. He noted how dry the ground is at this time and it is a very bad time for field fires. He explained that the restroom at the Horseshoe Bend Park is now completed and that the township has received a certificate of occupancy to use the room now. He also commented that John Hale from the NJDEP will be working on a new plan to include Lake Nockamixon, which has been downgraded from safe to high hazard. He explained the hazards of an earth quake and what would happen if the Nockamixon Dam broke and how the river along Route 29 could be up, as far as, four feet.

He noted that this has been downgraded from safe to high hazard. He noted that he is also working on Scott's Mountain as they have a large dam, which would also empty into the Delaware River if it went.

He explained that there are two property owners from the Byram Colony who showed up for the meeting regarding the new program. He noted that the State is contacting eligible persons to make sure they know about the program. He also noted that the underground oil tank at the municipal building is going to be pumped out tomorrow and that some of the oil will be put in the tank at Horseshoe Bend Park. There was a brief discussion on a temporary tank for the municipal building.

Jack MacConnell noted the need for some defibrillators, which he stated we need four.

There was a brief discussion regarding the new bridge built at the Horseshoe Bend Park during the rainstorm. Jack MacConnell reported on a leaky well head that is located on Slacktown Road. He noted that DPW Supervisor Mark Petro reported that the well has been leaking since he believes it was put in by MEL, formerly MEI.

The Township Committee Members thanked Jack MacConnell for his monthly report.

NJSP Report of May 2015

The Township Committee briefly reviewed.

Animal Control Report 1st Qtr.

Construction Report of May 2015

Finance Department:

Budget Report of May 2015

Tax Collector's Report of April 2015

Township Engineer's Report

Mayor Dodds reported that the County will be paying for the materials to repair part of Kingwood Locktown Road. There was a discussion regarding the road construction to start on Spring Hill Road.

FUTURE MEETINGS AND ACTIVITIES

Mayor Dodds reviewed as per the agenda.

ORDINANCES

ORDINANCE NO. 18-05-2015 AMENDING CHAPTER 94 ENTITLED "OPEN SPACE AND RECREATION AREAS" OF THE TOWNSHIP TO INCLUDE RULES AND REGULATIONS FOR THE LEASH FREE AREA WITHIN HORSESHOE BEND PARK VOL. 18, PG. 18-05 – Public Hearing and Final Adoption

Mayor Dodds 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 7th day of May, 2015. The Ordinance was published in the Hunterdon County Democrat on May 18, 2015 and has been posted in the Kingwood Township Municipal Building on May 8th, 2015. Copies of the Ordinance have been available for inspection by the public since May 8th, 2015.

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

Public Comments: No comments from the public

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

ORDINANCE NO. 18 - 05 - 2015

ORDINANCE AMENDING CHAPTER 94 ENTITLED "OPEN SPACE AND RECREATION AREAS" OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, AND THE STATE OF NEW JERSEY TO INCLUDE RULES AND REGULATIONS FOR THE LEASH FREE AREA WITHIN HORSESHOE BEND PARK.

WHEREAS it has been recommended by the Kingwood Township Parks and Recreation Committee that rules and regulations be adopted for the Leash Free Area within Horseshoe Bend Park; 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:

Section 1:

Section 94-7 shall be amended as follows:

Section 94-7 Leash Free Area Rules and Regulations (Horseshoe Bend Park)

The following rules and regulations are hereby established and shall apply to the area within Horseshoe Bend Park which is designated by signage as the "Leash Free Area".

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- A. Users of the Leash Free Area must abide by all Rules and Regulations governing the use of Kingwood Township Parklands and must comply with the directions of Township Personnel and all posted signs.
- B. The Leash Free Area is open to the public from sunrise to sunset, daily.
- C. The Leash Free Area is for the off leash exercise of people and dogs only. No other animals are permitted within the fence enclosure.
- D. Children under thirteen (13) years of age are only permitted within the fenced enclosure under close adult supervision.
- E. No more than two (2) dogs per person are permitted in the Leash Free Area.
- F. Dogs showing unacceptable behavior towards people or other dogs must be leashed immediately and removed from the area.
- G. The Township reserves the right to refuse access to any person or animal without cause.
- H. Puppies under six months of age are prohibited.
- I. Dogs must be spayed or neutered.
- J. Dogs must wear flat-buckle collars, displaying valid license and rabies tag.
- K. Metal prong, choke, shock and aversive training collars are not permitted.
- L. Users must properly secure access gates and leash their dogs approaching and leaving the off-leash dog area. Users must carry a leash for each dog at all times.
- M. Users must clean up after their dogs and carry out all waste and other trash.
- N. Dog and human food products are prohibited within the Leash Free Area.
- O. Users of the Leash Free Area acknowledge that there are inherent risks to persons and pets when dogs are allowed to run off leash. Use of the Leash Free Area is at user's own risk. The Township is not responsible for any injuries sustained to persons, property or dogs within the Leash Free Area.
- P. Users are responsible for any damage caused by their dogs including, but not limited to: digging, scratching, chewing, biting, injury to other users, as well as illness, and including damage to the leash free area, access pathways, parking areas, vehicles, property, other dogs and bystanders.

Users agree to indemnify and hold the Township harmless for any claims or obligations brought against it or which may be alleged to be brought against it in relation to use of Township Leash Free Area.

Section 2:

Section 94-8 shall be amended as follows:

Section 94-8 Violations and penalties

Any person or group who violates or neglects to comply with any provision of this chapter or any regulation promulgated hereunder shall, upon conviction thereof, be punishable by a fine not to exceed \$1,000 and/or by imprisonment for up to 90 days, and/or by a period of community service not exceeding 90 days, in the discretion of the court. Each and every day that such a violation continues shall be considered a separate and specific violation of this chapter.

Section 3:

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.

Section 4:

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 Mr. Lubitz, seconded by Mrs. Haywood and carried to adopt the foregoing Ordinance.

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

ORDINANCE

ORDINANCE NO. 18-06-2015 TO PROVIDE FOR THE RESURFACING OF ROADS AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$70,000.00 FROM THE CAPITAL IMPROVEMENT FUND – Public Hearing and Final Adoption

Mayor Dodds 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 7th day of May, 2015. The Ordinance was published in the Hunterdon County Democrat on May 21, 2015 and has been posted in the Kingwood Township Municipal Building on May 8th, 2015. Copies of the Ordinance have been available for inspection by the public since May 8th, 2015.

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

Public Comments: No comments from the public

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

ORDINANCE NO. 18 - 06 - 2015

AN ORDINANCE TO PROVIDE FOR THE RESURFACING OF ROADS AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AND APPROPRIATING \$70,000.00 FROM THE CAPITAL IMPROVEMENT FUND

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

SECTION 1. The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by the Township of Kingwood, New Jersey. For the said improvement or purposes described in Section 2, there is hereby appropriated the sum of \$70,000.00, said sum being inclusive of all appropriations heretofore made therefore.

SECTION 2. The Township of Kingwood is hereby authorized to resurface Township roads.

SECTION 3. In order to finance the cost of the improvements or purpose there is hereby appropriated \$70,000.00 from the Capital Improvement Fund.

SECTION 4. The said purpose described in Section 2 of this ordinance is not a current expense and is an improvement which the Township may lawfully acquire or make as a general improvement.

SECTION 5. The capital budget of the Township of Kingwood is hereby adopted to conform with the provisions of this ordinance. The project has been included in the 2015 Capital Budget of the Township of Kingwood.

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

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

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

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

ORDINANCE

ORDINANCE NO. 18-07-2015 AMENDING ORDINANCE NO. 18-04-2015 FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP – Introduction and Adoption on First Reading

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

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt on first reading **ORDINANCE NO. 18-07-2015 AMENDING ORDINANCE NO. 18-04-2015 FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP.**

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

Consideration of final adoption at a public hearing is scheduled for Thursday, July 2, 2015 at a meeting beginning at 7:00 P.M. at the municipal building.

RESOLUTION

Resolution No. 2015-59 – Amend Capital Budget

The following Resolution was introduced:

RESOLUTION NO. 2015 – 59

WHEREAS, the Capital Budget of the Township of Kingwood was approved on April 2, 2015 and

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WHEREAS, it has been determined that said Capital Budget must be amended due to a change in Municipal priorities.

NOW, THEREFORE BE IT RESOLVED that the following amendment to the Capital Budget of the Township of Kingwood is hereby authorized.

CAPITAL BUDGET

Local Unit Township of Kingwood

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Planned Funding Service for Current Year – 2015</u>			
		<u>Capital Improvement Fund</u>	<u>Debt Authorized</u>	<u>Budget Appropriations</u>	<u>Other Funds</u>
Renovations to the Municipal Building	\$115,000	\$8,000	\$92,000		\$15,000
Acquisition of Various Road Maintenance Equipment	<u>\$665,000</u>	<u>\$32,000</u>	<u>\$633,000</u>		
Total All Projects	<u>\$1,135,000</u>	<u>\$90,000</u>	<u>\$725,000</u>	<u>\$239,728</u>	<u>\$80,272</u>

3 – YEAR CAPITAL PROGRAM 2015 – 2017
ANTICIPATED PROJECT SCHEDULE
AND FUNDING REQUIREMENTS

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Estimated Completion Time</u>	<u>Funding Amounts Per Budget Year</u>		
			<u>Budget Year 2015</u>	<u>2016</u>	<u>2017</u>
Renovations to the Municipal Building	\$115,000	1 Year	\$115,000		
Acquisition of Various Road Maintenance Equipment	<u>\$665,000</u>	1 Year	<u>\$665,000</u>		
Total All Projects	<u>\$1,135,000</u>		<u>\$875,100</u>	<u>\$50,000</u>	<u>\$209,900</u>

3 YEAR CAPITAL PROGRAM 2015-2017
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Budget Appropriations</u>		<u>Capital Improvement Fund</u>	<u>Capital Surplus</u>	<u>Grants In Aid and Other Funds</u>	<u>Bonds and Notes</u>
		<u>Current Year 2015</u>	<u>Future Years</u>				
Renovations to the Municipal Building	\$115,000			\$8,000		\$15,000	\$92,000
Acquisition of Various Road Maintenance Eqt.	<u>\$665,000</u>			<u>\$32,000</u>			<u>\$633,000</u>
Total All Projects	<u>\$1,135,000</u>	<u>\$40,100</u>	<u>\$199,628</u>	<u>\$90,000</u>	<u>\$ -0-</u>	<u>\$80,272</u>	<u>\$725,000</u>

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the Governing Body on the 4th day of June 2015.

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

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

ORDINANCE

ORDINANCE NO. 18-08-2015 BOND ORDINANCE PROVIDING FOR ACQUISITION OF VARIOUS ROAD MAINTENANCE EQUIPMENT IN AND BY THE TOWNSHIP, APPROPRIATING \$665,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$633,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF -

Introduction and Adoption on First Reading

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

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt on first reading **ORDINANCE NO. 18-08-2015 BOND ORDINANCE PROVIDING FOR ACQUISITION OF VARIOUS ROAD MAINTENANCE EQUIPMENT IN AND BY THE TOWNSHIP, APPROPRIATING \$665,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$633,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

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

Consideration of final adoption at a public hearing is scheduled for Thursday, July 2, 2015 at a meeting beginning at 7:00 P.M. at the municipal building.

ORDINANCE

ORDINANCE NO. 18-09-2015 BOND ORDINANCE PROVIDING FOR RENOVATIONS TO THE MUNICIPAL BUILDING IN AND BY THE TOWNSHIP, APPROPRIATING \$115,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$92,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF –

Introduction and Adoption on First Reading

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

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to adopt on first reading **ORDINANCE NO. 18-09-2015 BOND ORDINANCE PROVIDING FOR RENOVATIONS TO THE MUNICIPAL BUILDING IN AND BY THE TOWNSHIP, APPROPRIATING \$115,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$92,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

Roll Call Vote:

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

Consideration of final adoption at a public hearing is scheduled for Thursday, July 2, 2015 at a meeting beginning at 7:00 P.M. at the municipal building.

RESOLUTIONS

Resolution No. 2015-60 - Governing Body Certification of Annual Audit & Group Affidavit Form

The following Resolution was introduced:

RESOLUTION NO. 2015 - 60

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

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

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

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

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

RESOLUTION

Resolution No. 2015-61 - Waiver to Launch Model Rockets at HBP (Science Camp)

The following Resolution was introduced:

RESOLUTION NO. 2015 - 61

**WAIVER TO LAUNCH MODEL ROCKETS AT
HORSESHOE BEND PARK**

WHEREAS, the Kingwood Township Parks & Recreation Committee is sponsoring Mr. Bacon’s Science Camp; and

WHEREAS, the Science Camp is taking place at the Horseshoe Bend Park Morton Building due to inaccessibility at the Kingwood Township School; and

WHEREAS, a certificate of insurance has been provided; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that approval is given for the launching of model rockets during the weeks of July 6th, July 13th and July 20th at the Horseshoe Bend Park Morton Building property located at 178 Horseshoe Bend Road, known as Block 14 Lot 30.01 in Kingwood Township, New Jersey.

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

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

RESOLUTION

Resolution No. 2015-62 - Refund of 2015 Duplicate Tax Payment Bl 33 L 3.01

The following Resolution was introduced:

RESOLUTION NO. 2015 –62

REFUND OF 2015 DUPLICATE PAYMENT

WHEREAS, the homeowner of Block 33, Lot 3.01 made a duplicate payment for the second quarter real estate taxes in the amount of \$1,747.66; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that the Chief Financial Officer be authorized to issue a refund in the amount of \$1,747.66 made payable to Johst & Anna Burk, 2936 Sherman Court, Mohegan Lake, New York, 10547.

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

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

RESOLUTION

Resolution No. 2015-63 - Reimbursement of Security Deposit to Somerset Hills Kennel Club

The following Resolution was introduced:

**RESOLUTION NO. 2015 - 63
REIMBURSEMENT FOR SECURITY DEPOSIT**

WHEREAS, the Somerset Hills Kennel Club, 75 Tumble Falls Road, Stockton, NJ 08559 rented the Morton Building facility at the Horseshoe Bend Park on Horseshoe Bend Road for a dog club event on Sunday, May 17, 2015; and

WHEREAS, the Township of Kingwood requested a security deposit from the Somerset Hills Kennel Club, 75 Tumble Falls Road, Stockton, NJ 08559 for the use of the facility for May 17, 2015 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 Somerset Hills Kennel Club, 75 Tumble Falls Road, Stockton, NJ 08559.

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

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

NEW BUSINESS

Application for 50/50 Raffles License – Our Lady of Victories RC Church

2015 – 144

The Committee Members reviewed the following application from Our Lady of Victories RC Church - Raffle License Application No. 2015 - 06 to conduct an on premise 50/50 cash raffle on June 28th, 2015. This raffle will be held at Our Lady of Victories RC Church 1007 Hwy. 519 Frenchtown, NJ from 1:00 – 4:00PM.

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to approve Raffle License Application No. 2015 - 06 On Premise 50/50 Cash Prize Raffle at Our Lady of Victories RC Church 1007 Hwy. 519 Frenchtown, NJ to be held on June 28th, 2015 from 1:00 – 4:00PM.

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

Authorize Secretary Position for Mount Laurel Subcommittee

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve and authorize the Secretary Position for Mount Laurel Subcommittee at a salary \$17.44 per hour.

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

OLD BUSINESS

Slacktown Cemetery

Attorney K. Campbell briefly reviewed an update on the Slacktown Cemetery, which is located on Locktown Road in the township. Mayor Dodds gave a brief review of the history of the cemetery, and the clean-up with Mount Amwell Project Inc. Attorney Campbell explained that she would like to reach out to their lawyer to see what title work they have for the property. She is concerned about any title liens they may have on the property. She would like to also speak to someone from the New Jersey Cemetery Board, as they have many rules for maintaining cemeteries.

PennEast Pipeline

Mayor Dodds explained that some of the landowners plan to get together to try and present a unified approach to deal with the company.

United Reformed Church Bl 12 L 25

Mayor Dodds noted that he received an e-mail from Green Acres and noted that Pam Their has retired. He stated that her replacement is a Team Leader named Lisa Stern. He noted that he sent her the most updated information for the Church Property regarding all of the testing and clean-up. He noted that he has spoken to a representative from the New Jersey Department of Environmental Protection and he is now waiting to hear back from them.

COAH – Affordable Housing Planning Memorandum & Resolution

Committeeman Lubitz noted that the Mount Laurel Subcommittee met recently and the first thing they recommend to the Township Committee is to hire Dr. Robert Burchell. He will prepare update calculations substantially consistent with the Prior Round methodology that the Supreme Court required in its September 2013 ruling. He explained that the cost will be shared with several other towns, who will be using Dr. Burchell. Township Attorney K. Campbell noted that a consortium of municipalities is being organized by Attorney Jeffrey Surenian to retain Dr. Burchell. She noted that Attorney Surenian contacted her to let her know that he has received an overwhelming response from many municipalities. She noted that he basically would like the attorneys from each municipality to send him one contact person’s information from each town.

Attorney K. Campbell noted that they are in the process of drafting a shared services agreement and they would like the township to adopt a resolution authorizing to hire the professionals. She explained that they will be asking each municipality that indicated they were interested, to sign the shared services agreement and submit a \$2,000 deposit. She stated hopefully some of that money will be sent back after they see how many municipalities have participated and sent their deposit. She noted that this deposit will actually be going to Rutgers University, not Attorney Surenian, or the Dr. Burchell. She explained that Dr. Burchell works for Rutgers and that both professionals will be working on a statewide analysis, which is similar to the “Chapter 99” Third Round. She noted that they will be updating the numbers and addressing them. She explained that Dr. Burchell has received some rejections from Fair Share Housing and will be addressing them. Dr. Burchell will be giving each municipality that has participated their new numbers.

Attorney K. Campbell feels the township will be getting an excellent service for a fairly little cost. There was additional discussion regarding Dr. Burchell’s Services.

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to hire Dr. Robert Burchell at a rate not to exceed \$2,000 for the preliminary report.

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

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2015 – 65

RESOLUTION OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, DECLARING ITS INTENT TO FULLY COMPLY WITH ITS CURRENT AND FUTURE MOUNT LAUREL OBLIGATIONS AND TO SERVE AS THE "CATALYST FOR CHANGE" TO RENDER ANY MOUNT LAUREL LAWSUITS AS "UNNECESSARY LITIGATION"

WHEREAS, in So. Burlington County N.A.A.C.P. v. Tp. of Mount Laurel, 92 N.J. 158, 279-80 (1983) ("Mount Laurel II"), the New Jersey Supreme Court ruled, subject to several other limitations, that in order for a plaintiff to be entitled to a builder's remedy, it must "succeed in litigation"; and

WHEREAS, in Toll Bros. Inc. v. Tp. of W. Windsor, 173 N.J. 502, 507 (2002), the Supreme Court ruled that in order for a developer to succeed in litigation, it must not only prove that the municipality failed to create a realistic opportunity to satisfy its affordable housing obligation, but also must be the "catalyst for change"; and

WHEREAS, on September 26, 2013, the Supreme Court released In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 215 N.J. 578 (2013) which completely invalidated the Round 3 regulations adopted in 2008 by the New Jersey Council on Affordable Housing ("COAH"); and

WHEREAS, on March 14, 2014, the Supreme Court issued an order directing COAH to propose new Round 3 regulations on or before May 1, 2014 and to adopt them by October 22, 2014; and

WHEREAS, the March 14, 2014 Order further provided that, if COAH failed to meet the deadlines, the Court would consider allowing developers to file builder's remedy suits against municipalities under COAH's jurisdiction and thereby allowing trial judges to determine the affordable housing standards with which those municipalities must comply in lieu of COAH; and

WHEREAS, on April 30, 2014, in accordance with the March 14, 2014 Order, COAH proposed Round 3 regulations and published them in the New Jersey Register on June 2, 2014; and

WHEREAS, in these proposed regulations, the Township's proposed affordable housing obligation was 104 units, consisting of a 0-unit Rehabilitation obligation, a 68-unit Unmet Prior Round obligation, and a 36-unit prospective Round 3 obligation; and

WHEREAS, COAH accepted public comments on the proposed Round 3 regulations until August 1, 2014, and indeed received roughly 3,000 comments; and

WHEREAS, on October 20, 2014, the COAH board met to consider adopting the proposed regulations; and

WHEREAS, the COAH board reached a 3-3 deadlock and therefore did not adopt the proposed regulations; and

WHEREAS, COAH therefore failed to meet the Supreme Court's October 22, 2014 deadline; and

WHEREAS, on October 31, 2014, Fair Share Housing Center ("FSHC") filed a Motion In Aid of Litigant's Rights urging the Supreme Court, among other things, to direct trial judges, instead of COAH to establish standards with which municipalities must comply; and

WHEREAS, FSHC's motion included an alternative fair share calculation for each municipality, further highlighting the uncertainty of the framework with which municipalities must ultimately comply; and

WHEREAS, pursuant to the alternative calculations furnished by FSHC, revised in April 2015, the Township would have an obligation of 209 units, consisting of a 0-unit Rehabilitation obligation, a 19-unit Prior Round obligation, and a 190-unit Round 3 obligation; and

WHEREAS, in response to FSHC's motion in aid of litigant's rights, the Supreme Court ruled that in light of COAH's failure to adopt regulations and subsequent inaction to cure that failure, the trial courts shall assume jurisdiction over Mount Laurel constitutional compliance and established a process for municipalities to seek the Court's judgment of compliance and repose and secure the Fair Housing Act protections heretofore available through participation in the COAH process; and

WHEREAS, as a result of future regulations, litigation, and/or legislation, it is entirely possible that the Township's obligation may indeed differ from those proposed by COAH or advocated by FSHC; and

WHEREAS, indeed, the trial courts or new laws may reduce the obligations of the Township under COAH's prior round regulations; and

WHEREAS, the Township wishes to be in a position to complete its efforts to comply voluntarily once its obligations are defined; and

WHEREAS, in light of all this uncertainty, it is possible that the Township may not be in compliance with its affordable housing obligations; and

WHEREAS, regardless of whatever its obligation is ultimately assigned, **the Township remains committed to comply voluntarily with its obligations; and**

WHEREAS, this commitment to comply extinguishes any possible claim that a plaintiff in any type of Mount Laurel lawsuit could qualify as the “catalyst for change”; and

WHEREAS, the Township herein intends to make its intentions inescapably clear to the public and all concerned.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Township of Kingwood formally stipulates that, given all the uncertainty in the law, it is entirely possible that it may not be in compliance with its affordable housing obligations.

2. The Township hereby affirms its commitment to satisfy its affordable housing obligations, however they may ultimately be defined, voluntarily and in the absence of any additional Mount Laurel lawsuits.

3. Once its affordable housing obligations are defined, the Township directs its legal and planning professionals to take all reasonable and necessary actions to enable it and its Planning Board to satisfy those obligations expeditiously.

4. The Township clerk is hereby directed to place this Resolution on file in Township Hall to put the public on notice of the formal commitments herein.

5. The Township hereby authorizes its Special Mount Laurel Council to use this Resolution as it sees fit to maintain the current immunity from all Mount Laurel lawsuits.

6. This Resolution shall take effect immediately.

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

Attorney K. Campbell briefly explained the resolution.

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

Repair of County Road 519 Bridges 110 & 111

Mayor Dodds noted that the County has obtained the required permits from the NJDEP. He stated that there is nothing new to report, as far as, the completion date.

Repairs to Municipal Building

2015 – 149

Mayor Dodds explained that the first process regarding the repairs is to have the tank removed. Clerk MacConnell noted that the township has a professional services agreement for removing the tank. Mayor Dodds noted that the township is ready to move ahead.

MINUTES

May 3, 2001 Special Meeting

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to approve the May 3, 2001 Special Meeting Minutes.

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

May 7, 2015 Regular Meeting

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve the May 3, 2015 Township Committee Regular Meeting Minutes.

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

May 7, 2015 Executive Session

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve the May 7, 2015 Executive Session meeting minutes.

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

EXECUTIVE SESSION – RESOLUTION NO. 2015 – 64

The following Resolution was introduced to enter into closed session at approximately 9:12P.M.:

RESOLUTION NO. 2015 – 64

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:

Possible Zoning Violation – Bl 8 L 16 (Moskal)
Personnel – Discuss Amendments to Employee Handbook and Personnel Policies and Procedures Manual
Possible Litigation – Block 14 Lot 28.01

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. Lubitz and carried to adopt the foregoing Resolution.

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

RETURN TO REGULAR SESSION

It was moved by Mrs. Haywood, seconded by Mr. Lubitz and carried to return to regular session at 9:41P.M. **All** voted **Aye** on **Roll Call Vote**.

Laura Hughs - Returned to the meeting and felt that she needed to say some additional thoughts to the township and how she feels about the Delaware River Tubing. She noted that Committeeman Lubitz mentioned about a message being sent out to old and new businesses in Kingwood Township in the future. She wondered whether that happens very often. She wanted to know if the township really wants businesses to come into the township. She feels that she does not know clearly about the situation and the background of the Delaware River Tubing.

She feels that if she was in the Township Committees shoes, she would have approached it a little differently. Committeeman Lubitz stated that he appreciates her coming back and speaking to the Committee. He noted that the township tries to be flexible with all businesses that come into the township. He explained that the township has rules and has to be equal and fair to everyone. He noted that the township tries to work with all the officials to make sure all the rules are followed appropriately.

Mayor Dodds stated that the township is being consistent and does not want to treat anyone different. He explained the best example is with the boards who have a check lists, which they all need to follow and have everything in order. He explained that the Board of Adjustment is something a little different where you are going before the board asking for something that is not currently allowed.

Laura Hughs thanked the Township Committee for listening to her and explaining everything.

The Township Committee thanked Laura Hughs for coming.

Comp time for Road Supervisor

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to approve to amend the Employee Handbook and Personnel Policies and Procedures Manual under Comp Time for the Department of Public Works Supervisor.

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

ADJOURNMENT

It was moved by Mr. Lubitz, seconded by Mrs. Haywood and carried to adjourn the meeting at 9:50P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

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

