

KINGWOOD TOWNSHIP COMMITTEE

Regular Meeting Agenda

January 4, 2016 – 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 December 17, 2015 and by telefaxing copies of the notice to the Express Times on December 14, 2015. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on December 14, 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

Correspondence

Letter from Resident D. Ruhland re: Property Taxes Bl 25 L 1.03
Louis Bay 2nd Annual Scholarship Competition

Public Comment – Privilege of the Floor

Bills and Claims

Reports

Animal Control Report of 2015
Court Report of November 2015
Township Engineer's Report

Future Meetings & Activities

January 9 - Recycling at Township Garage from 9:00AM – 12:00Noon
January 16 - Free Rabies Clinic at Township DPW, 255 Union Rd., 1:00pm-3:00pm
January 19 - Acceptance of Comments by Cty Parks & Open Space Advisory
Committee on Final Draft of Updated Open Space Trust Fund Plan
at Rte 12 Cty Complex, Bldg #1, beginning at 7:00pm

January 4, 2016 Township Committee Agenda Continued

Reports Continued

January 20 - Presentation by New Jersey Conservation Foundation at Municipal Building at 7:00pm for Homowners Impacted by Proposed PennEast Pipeline

February 4 - Monthly Meeting of Township Committee at Municipal Building beginning at 7:00pm

Ordinances

Updated – Ordinance Banning The Use Of Hydraulic Fracturing In Kingwood Twp

Resolutions

Resolution No. 2016-03 – Cancel Municipal Certificate of Sale Bl 27 L 12

Resolution No. 2016-04 - Refunding of Overpaid Dog Licensing Fees for 2016

Resolution No. 2016-05 – Recycling Tonnage Grant

Resolution No. 2016-06 - Professional Services Agreements – Animal Control Services & Kennel & Vet Services

New Business

Green Acres Program KT Open Space Plan & **Resolution No. 2016-07**

Letters of Resignation – James Golden, Board of Health

Jack MacConnell, Emergency Management Coordinator

Old Business

PennEast Pipeline

Repairs to Municipal Building

United Reformed Church Bl 12 L 25

KT Volunteer Fire Company – Draft Recruitment & Retention Plan
Milford DPW Firefighters

Minutes

December 3, 2015 Regular Meeting Minutes

December 3, 2015 Executive Session Minutes

Executive Session – Resolution No. 2016 – 08

Contractual – Affordable Housing Update

Contractual – Discuss Staffing & Shared Services Agreement w Franklin Twp
regarding Construction/Zoning/General Code Enforcement

Contractual – Discuss DPW Agreement with Local Union 469

Conference Calls for Meetings

Return to Regular Session

Adjournment

PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES

2016 - 19

January 4, 2016

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

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

NOTICE REQUIREMENTS

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

CORRESPONDENCE

Letter from Resident D Ruhland re: Property Taxes Bl 25 L 1.03

Mr. and Mrs. Ruhland, 164 Barbertown Point Breeze Road, were present at the meeting. Debbie Ruhland reviewed the information in her letter to the Township Committee. She explained that the assessment for this property was lowered by the Tax Assessor in 2014. This was due to the property being determined wetlands and is unusable, therefore, the Assessor agreed to lower the taxes to a certain amount going forward. Debbie Ruhland explained that they are requesting that the township go back and reimburse them for the taxes they overpaid since they took it over in 1997. The Ruhlands noted that they never received a notice from the NJDEP regarding the property being considered wetlands in 1988. They noted that they would never have found out that the land was determined wetlands if they did not try to sell the property. Attorney K. Campbell noted unfortunately, it is not possible to go back more than two years and it is only for hypothetical errors. The Ruhlands noted that they have not paid the taxes for the property for 2015 and planned on paying the taxes with the money they received from the sale of the property. Attorney Campbell noted she will do some research by checking with the County. She noted that they may need to pay these taxes for 2015 before considering an appeal. The Township Committee informed Mr. and Mrs. Ruhland of the next Township Committee meeting in February.

2016 – 20

Louis Bay 2nd Annual Scholarship Competition

The Township Committee suggested that the information they received regarding the 22nd Annual Scholarship Competition be referred to the Delaware Valley High School. Clerk MacConnell to contact the Delaware Valley High School.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

There were no public comments.

BILLS AND CLAIMS

It was moved by Mr. Dodds, seconded by Mr. Lubitz and carried to approve and pay all bills and claims in the amount of **\$1,026,663.00** that are in order and attached as Bill List for January 2016.

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

REPORTS

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

- Animal Control Report of 2015
- Court Report of November 2015
- Township Engineer's Report

The Township Committee reviewed the subdivision for Marshall's Pond, Block 28, Lot 11.01 regarding a seven lot residential subdivision on Fairview Road. The Engineer noted that as per a call from the applicant's engineer on January 4, 2016, the applicant wishes to start construction prior to filing the final subdivision plan in order to postpone posting of a performance guarantee. Attorney Campbell recommended that the developer's agreement be put in place first. She noted that she will be in contact with the Township Engineer.

It was moved by Mr. Dodds, seconded by Mr. Lubitz and carried to table this decision until more information is obtained from the Township Attorney. **All Voted Aye on Roll Call Vote.**

FUTURE MEETINGS AND ACTIVITIES

Mayor Haywood reviewed as per the agenda.

2016 – 21

There was a brief discussion regarding the Acceptance of Comments by County Parks and Open Space Advisory Committee for the Final Draft of the Updated Open Space Trust Fund Plan. It was noted that this will be held on January 19, 2016 at the Route 12 County Complex, Bldg#1 at 7:00P.M.

Committeeman Dodds noted that this will be discussed at the Open Space and Agricultural Advisory Committees meeting scheduled tomorrow evening at 7:00P.M.

ORDINANCES

Updated – Ordinance Banning The Use Of Hydraulic Fracturing In Kingwood Twp.

The Township Committee reviewed and made a few suggestions for the ordinance. They requested that this be sent out to all the surrounding municipalities.

RESOLUTIONS

Resolution No. 2016-03 – Cancel Municipal Certificate of Sale Bl 27 L 12

The following Resolution was introduced:

RESOLUTION NO. 2016 – 03

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

WHEREAS, Certificate of Sale #2014-04 was issued by the Township of Kingwood for delinquent taxes on Block 27, Lot 12, assessed to 129 Upper Creek Road, LLC, at a tax sale held on June 18, 2014; and

WHEREAS, the Township has received the redemption amount of \$138.25 from the homeowner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Mayor and Municipal Clerk of the Township of Kingwood, County of Hunterdon and State of New Jersey are hereby authorized to endorse Certificate of Sale #2014-04 for cancellation.

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

2016 – 22

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

RESOLUTION

Resolution No. 2016-04 - Refunding of Overpaid Dog Licensing Fees for 2016

The following Resolution was introduced:

RESOLUTION NO. 2016 – 04

REFUNDING OF OVERPAID DOG LICENSING FEES

WHEREAS, the Township Committee of the Township of Kingwood finds and declares that N.J.S.A. 40a:5-17.1 empowers authorized municipal employees to process refunds; and

WHEREAS, the Township Committee further finds and declares that the Dog Licensing Agent is qualified to process the refunds; and

WHEREAS, the Township Committee further finds and declares that it is in the best interest of the citizens of the Township of Kingwood for the Dog Licensing Agent to be authorized to process the refunds in accordance with N.J.S.A. 40A:5-17.1;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood that the Dog Licensing Agent, Sandra McNicol, is hereby authorized to process the refunds during the calendar year of 2016 in accordance with N.J.S.A. 40A:5-17.1.

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

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

RESOLUTION

Resolution No. 2016-05 – Recycling Tonnage Grant

The following Resolution was introduced:

RESOLUTION NO. 2016 - 05

RECYCLING TONNAGE GRANT

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of the Kingwood Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood that the Township of Kingwood hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Sandra McNicol to ensure that the said Application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

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

RESOLUTION

Resolution No. 2016-06 - Professional Services Agreements – Animal Control

Services & Kennel & Vet Services

The following Resolution was introduced:

RESOLUTION NO. 2016 – 06

**RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN
CONTRACTS FOR PROFESSIONAL SERVICES**

WHEREAS, the Township of Kingwood has a need to acquire professional services as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township Chief Financial Officer has determined and certified in writing that the value of the acquisitions will not exceed \$17,500; and

WHEREAS, the anticipated term of these contracts is one year(s); and

WHEREAS, the Professionals set forth below have submitted proposals indicating they will provide the professional services described below for the amounts set forth in the submitted proposals; and

WHEREAS, the Professionals set forth below have completed and submitted a Business Entity Disclosure Certification which certifies that the Professional has not made any reportable contributions to a political or candidate committee in the Township of Kingwood in the previous one year, and that the contract will prohibit the Professional from making any reportable contributions through the term of the contract; and

WHEREAS, a certification of availability of funds, specifying the line item appropriation(s) to be charged as to the contract set forth below has been provided by the Chief Financial Officer of the Township of Kingwood.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey authorizes the Mayor and Clerk to enter into a contract for the professional services as described below:

Thomas Dodd and Animal Control Solutions, LLC
Animal Control Services

Chadd Tindall and Voorhees Corner Veterinary Clinic, LLC
Veterinary Services

A copy of this Resolution shall be published in the Hunterdon Democrat as required by law.

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

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

NEW BUSINESS

Green Acres Program KT Open Space Plan & Resolution No. 2016 - 07

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2016 - 07

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

GREEN ACRES PROGRAM

ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Kingwood has previously obtained a grant of \$3,150,000 from the State to fund the following project(s):

Project #1016-00-077

Kingwood Township Open Space Plan

WHEREAS, the State and the Township of Kingwood intend to increase Green Acres funding by \$550,000; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE THAT:

1. The Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Project #1016-00-077 Kingwood Township Open Space Plan; and
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$3,700,000; and
3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. This resolution shall take effect immediately.

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

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

Letters of Resignation:

James Golden, Board of Health

Deputy Mayor Lubitz noted that Mr. Golden may not be resigning, as he has submitted an appeal to the State for his Financial Disclosure Statement. The Township Committee decided not to accept the resignation for James Golden for the Board of Health at this time.

Jack MacConnell, Emergency Management Coordinator

Committeeman Dodds noted that since the Emergency Management Coordinator has resigned, he was informed that the Mayor is automatically appointed to the position. He noted that he will be filling in temporarily as the acting EMC to complete paperwork. Deputy Mayor Lubitz noted that the Township Committee will all work together on this position until they find someone to take over the job.

It was moved by Mr. Lubitz, seconded by Richard Dodds and carried to accept Jack MacConnell’s resignation with regret and many thanks for the tremendous amount of service he has given to the township.

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

OLD BUSINESS

PennEast Pipeline

Committeeman Dodds noted that there will be a meeting tomorrow evening, January 15, 2016 for all the properties along the stretch of the Delaware River in New Jersey. He stated that Chairwoman of the Environmental Commission, Debbie Kratzer will be attending the meeting along with Planning Board Chairwoman, Maureen Syrnick to represent the township.

Repairs to Municipal Building

There was a brief discussion on the replacement door and window for the municipal offices, the well tests for the New Jersey Department of Environmental Protection and the electrical work to be done in the meeting room to eliminate the electric cord for the projector.

United Reformed Church Bl 12 L 25

Committeeman Dodds noted the closing took place on December 16, 2015. There was a discussion regarding naming the property. This will be recommended to the Open Space and Agricultural Advisory Committees to discuss a name for the recently purchased property. He noted that there is a lot of work that needs to be done on the property and that the Scouts are willing to do lots of volunteering. There was some discussion on the possible grants the township will apply for to refurbish the home in the future.

KT Volunteer Fire Company – Draft Recruitment & Retention Plan
Milford DPW Firefighters

The Township Committee reviewed the Draft Recruitment & Retention Plan for the KT Fire Company. It was noted that the Fire Company Members were unable to be at the meeting this evening. They will be stopping by on a Tuesday evening this week to discuss the plan with a Committee Member. Deputy Mayor Lubitz does not feel this may be in the best interest for Kingwood Township. He noted that there has been a discussion of a possible stipend to consider for daytime coverage, which would be discussed during the township’s budget discussion. Committeeman Dodds noted that there is the concern if there is a fire and who will show up.

MINUTES

December 3, 2015 Regular Meeting Minutes

2016 – 28

It was moved by Mr. Dodds, seconded by Mr. Lubitz and carried to approve the December 3, 2015 Regular Meeting Minutes.

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

December 3, 2015 Executive Session Minutes

It was moved by Mr. Lubitz, seconded by Mr. Dodds and carried to approve the December 3, 2015 Executive Session Minutes.

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

EXECUTIVE SESSION – RESOLUTION NO. 2016 - 08

The following Resolution was introduced to enter into closed session at approximately 8:24P.M.:

RESOLUTION NO. 2016 - 08

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:
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:

2016 – 29

Contractual – Affordable Housing Update
Contractual – Discuss Staffing & Shared Services Agreement w
Franklin Twp. Regarding Construction/Zoning/General Code
Enforcement
Contractual – Discuss DPW Agreement with Local Union 469
Conference Calls for Meetings

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. Lubitz, seconded by Mr. Dodds and carried to adopt the foregoing Resolution.

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

RETURN TO REGULAR SESSION

The Township Committee returned to regular session at 8:44P.M.

ADJOURNMENT

It was moved by Mr. Dodds, seconded by Mr. Lubitz and carried to adjourn the meeting at 8:45P.M. All voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Cynthia L. Keller,
Deputy Clerk

JANUARY 4, 2016 BILL LIST

CHECK #	VENDOR	ACCOUNT	AMOUNT
9000	DELAWARE VALLEY R.H.S.	06-01-55-903-299	\$ 621,898.00
9001	KINGWOOD TWSP B.O.E.	06-01-55-902-299	\$ 404,715.00
9002	TREASURER, STATE OF NJ	E-14-56-850-802	\$ 50.00
WIRE	NJSHBP	06-01-23-220-299	\$ 11,799.82
TOTAL AMOUNT			<u>\$ 1,038,462.82</u>

ORDERED AND APPROVED PAID THIS 4TH DAY OF JANUARY, 2016

DIANA HAYWOOD, Mayor

PHILLIP LUBITZ, Deputy Mayor

RICHARD DODDS, Committeeman