

KINGWOOD TOWNSHIP COMMITTEE

Regular Meeting Agenda

October 5, 2017 – 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 12, 2017 and by telefaxing a copy of the notice to the Express Times on January 6, 2017. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 6, 2017.

In order to ensure full public participation in this meeting, all members of this Committee, 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

Appointment to Citizen Advisory Panel to Parks and Recreation Committee/Oath of Office

Correspondence

Letter from St DOT re: Ridge Road Section 1 Grant Agreement

Letter from St DOT re: FY 2018 Local Freight Impact Fund

Letter from St Dept of Agriculture re: B1 22 L 20 Farmland Preservation Appl

Letter & Invitation from St DEP Office of Historic Resources re: Old Stone
Presbyterian Church

Letter & Nomination Form from NJLM re: Mayor's Committee on Life Sciences &
2017 Patient Courage Award

Letter & Info from NJ Office of Att'y. Gen'l re: Safe Care Cam Program

Letter from Flemington-Raritan First Aid & Rescue Squad re: Invoicing for
Ambulance Coverage in KT

Request from MCANJ re: Adopt Resolution Opposing S-1045 OPMA and S-1046
OPRA – **Resolution No. 2017-93**

Letter from St Dept of Agriculture re: Emerald Ash Borer

Public Comment – Privilege of the Floor

Bills and Claims

Reports

Emergency Management Coordinator

Animal Control Report of August 2017

Reports Continued

Construction Department Reports of September 2017

Dog Licensing Report – Mtg w Mayor & Animal Control Solutions

Finance Reports:

Budget thru 10-5-2017

Collector's Reports of July 2017 & August 2017

NJSP Reports of August 2017 & September 2017

Township Engineer's Report of August 2017

Zoning Officer Report of September 2017

Future Meetings and Activities

Oct 7th & 8th -Township Wide Yard Sale

October 14 - Recycling at Township Garage from 9:00am-12:00noon

October 14 - Clean Up Program at Township Garage, 255 Union Rd.,
9:00am-12:00noon, permit required

October 14 - Hunterdon Cty Computer, Computer Monitor & Television
Collection Day for County Residents at Cty. Rte. 12 Complex,
314 State Highway 12, Flemington, 9am-1pm

October 17 - Last Day to Register to Vote in November 2017 General Election

November 2 - Regular Monthly Township Committee Meeting beginning at
7:00pm at Municipal Building

November 6 - 3:00PM Deadline to Apply In Person for Mail-In Ballot

November 7 - All residents vote at Kingwood Township Fire House, 952 Cty. Rd. 519
in Baptistown, Polls Open from 6:00am-8:00pm

Ordinances

Ordinance No. 19-13-2017 To Provide For The Purchase Of One (1) 2017 F-350 XL 4 X 4 SD Super Cab 8' Box, 164" WB SRW In The Amount Of \$47,000.00 From The Reserve For Purchase Of Municipal Equipment – Public Hearing and Final Adoption

Ordinance No. 19-14-2017 To Amend And Supplement The Land Use Regulations Of The Township, Specifically "Zoning, Chapter 132" Of The General Ordinances Of The Township Amending And Supplementing The Route 12 Scenic Corridor Overlay (SCO) District Regulations - Introduction and Adoption on First Reading

Resolutions

Resolution No. 2017-84 - Cancellation of Real Est Taxes Bl 23 L 14

Resolution No. 2017-85 - Refund of Tax Payment Bl 23 L 14

Resolution No. 2017-86 - Award of Rock Salt Contract

Resolution No. 2017-87 - Approval of Acquisition of Dev Easement Bl 5 L 6

Resolution No. 2017-88 - Extend 2% Cap on Police & Fire Arbitration Awards

Resolution No. 2017-89 - Designation of Township as Stigma Free Zone

Resolution No. 2017-90 - Ridge Rd Section 2 App – NJDOT Municipal Aid Program

Resolution No. 2017-91 - Relieve Tax Coll from Collecting Taxes on Bl 28 L 10.02

Resolution No. 2017-93 - Approval of Acquisition of Dev Easement Bl 6 L 26 &

New Business

Recommendations from Agricultural Advisory & Open Space Advisory – various properties

Vote to Request Proposals for Appraisals on Bl 30 L 6 Goeckeler

Vote to Authorize Payment to J Rossi for Electrical Inspector Duties

Old Business

PennEast Pipeline

Long Term Future of Email & Website

Renovations to Municipal Building

NJDEP Stormwater Management

Parks & Recreation Committee – Recommendation on closing time for Kingwood Park during Events

Minutes

September 7, 2017 Regular Meeting Minutes

September 7, 2017 Executive Session Minutes

Executive Session – Resolution No. 2017- 92

Personnel - Teamsters Local Union

Litigation - Affordable Housing Update

Possible Zoning Violations – Freedenfeld/Mikes Bl 51 L 46, Terraglia Bl 8 L 19.03

Contractual – Rescue Squad

Dalrymple Property Bl 6, L 26

Return to Regular Session

Adjournment

PLEASE NOTE THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES

2017 – 206

September 7, 2017

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, Committeeman Thomas Ciacciarelli, Attorney Katrina Campbell, C.F.O. Diane Laudenbach, Deputy Clerk Cynthia Keller and Clerk Mary E. MacConnell. Mayor Phillip Lubitz called the meeting to order and following the salute to the flag, read aloud the following:

Call to Order

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In order to ensure full public participation in this meeting, all members of this Committee, 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.

Appointment to Citizen Advisory Panel to Parks and Recreation Committee/Oath of Office

Mayor Lubitz invited Jennifer Eannucci a resident of Kingwood Township to come up to the front of the room. He explained Jennifer has expressed interest in joining the Parks and Recreation Committee. Deputy Mayor Dodds noted there is an opening on the Citizen Advisory Panel to the Parks and Recreation, and that Jennifer Eannucci attended the last meeting on October 4th. The Parks and Recreation Committee would be very happy to have Jennifer on the Committee.

Clerk, Mary MacConnell administered the Oath of Office to Jennifer Eannucci, as a new member of the Citizen Advisory Panel to the Parks and Recreation Committee.

The Committee Members congratulated Jennifer Eannucci and thanked her for volunteering.

CORRESPONDENCE

Letter from State DOT re: Ridge Road Section 1 Grant Agreement

Mayor Lubitz reviewed the letter from the New Jersey Department of Transportation and an agreement signed by the State for the Ridge Road – Section 1 project. He noted the amount funded from the New Jersey Transportation Trust Fund Authority Act is \$200,000.00.

2017 – 207

Letter from State DOT re: FY 2018 Local Freight Impact Fund

Mayor Lubitz reviewed the letter from the State Department of Transportation regarding Fiscal Year 2018 Local Freight Impact Fund. The Committee Members all agreed this does not pertain to Kingwood Township.

Letter from State Department of Agriculture re: B1 22 L 20 Farmland Preservation Appl.

Mayor Lubitz reviewed the letter from the State Agriculture Development Committee regarding an application they received for Farmland Preservation for Block 22, Lot 20. He noted this is a confirmation letter to be signed by the township in support of the Jakelsky Farm.

Letter & Invitation from State DEP Office of Historic Resources re: Old Stone Presbyterian Church

Mayor Lubitz reviewed the letter and invitation from the NJ Department of Environmental Protection Office regarding the Old Stone Presbyterian Church in Kingwood Township located on Oak Summit Road and County Rt. 519. He noted this church will be considered by the NJ State Review Board for Historic Sites for a nomination to NJ National Registers of Historic Places, which provides recognition and assists in preserving our Nation's heritage.

He noted there is an invitation to attend the NJ State Review Board meeting on November 9, 2017 at which time the nomination will be considered. The meeting will begin at 10:00a.m.

Letter & Nomination Form from NJLM re: Mayor's Committee on Life Sciences & 2017 Patient Courage Award

Mayor Lubitz noted a letter from the New Jersey League of Municipalities has launched an award program designed to highlight the many inspiring patients in New Jersey. The Patient Courage Award recognizes remarkable individuals who have triumphed over adversity despite difficulties due to a serious illness or chronic disease. He noted they are encouraging the township to nominate a patient from the municipality who has positively impacted the lives of others through his or her attitude, actions and advocacy. Each person who receives this designation will be invited to participate in an awards ceremony. Mayor Lubitz noted that Clerk MacConnell looked into this further, and stated this does not have a time frame. He announced if anyone knows of anyone in the township that would be eligible as an appropriate recipient, please let the township know.

Letter & Info from NJ Office of Att'y. General re: Safe Care Cam Program

Mayor Lubitz reviewed the letter regarding the Safe Care Cam Program. He explained this is a program to help ensure the safety of elderly and disabled patients wherever they are receiving residential care. He noted the NJ Office of the Attorney General is offering to loan hidden micro-cameras, free of charge, for the purpose of assuring that the caregiver is acting appropriately.

Letter from Flemington-Raritan First Aid & Rescue Squad re: Invoicing for Ambulance Coverage in KT

Mayor Lubitz suggested this be discussed in executive session.

Request from MCANJ re: Adopt Resolution Opposing S-1045 OPMA and S-1046 OPRA – Resolution No. 2017 – 94

The Township Committee briefly reviewed the request from the Municipal Clerk’s Association of New Jersey.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2017 - 94

RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS REGARDING THE OPEN PUBLIC MEETINGS ACT AND THE OPEN PUBLIC RECORDS ACT

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meetings Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the State or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

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

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

Letter from St Dept. of Agriculture re: Emerald Ash Borer

Mayor Lubitz reviewed the letter from the State Department of Agriculture regarding the Emerald Ash Borer. It was suggested to put this on the website for the public's information.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

There were no public comments.

BILLS AND CLAIMS

It was moved by Mr. Dodds, seconded by Mr. Ciacciarelli and carried to approve and pay all bills and claims in the amount of **\$1,343,616.43** that are in order and attached as Bill List for October, 2017.

2017 – 210

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

REPORTS

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

Emergency Management Coordinator

Jack MacConnell reported on Community Day and noted all went well. He also noted that the risk assessment had excellent returns. He was informed the Prosecutor’s office is offering an “Active Shooter Training”, which is approximately about an hour. Jack MacConnell recommends the Township Committee and other officials attend this course to learn what to do if something were to occur during a public meeting. It was suggested to set up the training here at the township building if possible. The Committee Members all agreed this is important and suggested a date be scheduled. Jack MacConnell noted he will be in touch with them to set up a date.

Jack MacConnell also reported Route 29 is now being paved. He also reported on the lack of rain and how the ground is very dry, and a potential for fires. He noted that he and Deputy Mayor Dodds picked up a new brush hog for the Horseshoe Bend Park. There was a discussion on how to get public utilities to take care of trees that are clearly their responsibility. The Committee Members thanked Jack MacConnell for his report.

Animal Control Report of August 2017
Construction Department Reports of September 2017

Dog Licensing Report – Mtg. w/Mayor & Animal Control Solutions

Mayor Lubitz reported a meeting he had with the Dog License Official and Animal Control Solutions regarding a few issues. He noted a few errors that needed to be corrected in the Dog License Reports, which had to do with dog bites. He noted that these reports state that the township would like to issue summons for a dog bites. He noted it should be corrected to say “the township would like to issue a summons when there is an unlicensed dog who bites a stranger that is a nonfamily member.” Mayor Lubitz noted that at one time the township had a line item in the budget to neuter feral cats. He mentioned several towns that license cats. He noted he received several names of veterinarians in the area who offer low cost neutering. He feels that if the township could offer to neuter cats a reasonable price, it would be for the township’s benefit. Mayor Lubitz explained there is the option to licensing dogs every three years, as the rabies vaccine is good for that same amount of time. Deputy Mayor Dodds commented on the charge for removing dead wildlife.

Finance Reports:
Budget thru 10-5-2017
Collector’s Reports of July 2017 & August 2017

Reports Continued

NJSP Reports of August 2017 & September 2017
Township Engineer's Report of August 2017
Zoning Officer Report of September 2017

FUTURE MEETINGS AND ACTIVITIES

Mayor Lubitz reviewed as per the agenda.

ORDINANCES

ORDINANCE NO. 19-13-2017 TO PROVIDE FOR THE PURCHASE OF ONE (1) 2017 F-350 XL 4 X 4 SUPER CAB 8' BOX, 164" WB SRW IN THE AMOUNT OF \$47,000.00 FROM THE RESERVE FOR PURCHASE OF MUNICIPAL EQUIPMENT -Ordinance VOL. 19, PG. 19-13-2017 – 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 7th day of September 2017.

The Ordinance was published in the Hunterdon County Democrat on September 14, 2017 and has been posted in the Kingwood Township Municipal Building on September 8, 2017. Copies of the Ordinance have been available for inspection by the public since September 8, 2017.

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

Public Comments: There were no comments.

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

ORDINANCE NO. 19 - 13 - 2017

AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF ONE (1) 2017 F-350 XL 4 X 4 SD SUPER CAB 8' BOX, 164" WB SRW IN THE AMOUNT OF \$47,000.00 FROM THE RESERVE FOR PURCHASE OF MUNICIPAL EQUIPMENT.

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 said sum being inclusive of all appropriations heretofore made therefore.

SECTION 2. The Township of Kingwood is hereby authorized to purchase a:

2017 F-350 XL 4 X 4 SD SUPER CAB 8’ BOX, 164” WB SRW

SECTION 3. In order to finance the cost of the improvements or purpose there is hereby appropriated \$47,000.00 from the Reserve for Purchase of Municipal Equipment.

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 2017 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. Dodds, seconded by Mr. Ciacciarelli and carried to adopt the foregoing Ordinance.

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

ORDINANCE

ORDINANCE NO. 19-14-2017 TO AMEND AND SUPPLEMENT THE LAND USE REGULATIONS OF THE TOWNSHIP, SPECIFICALLY “ZONING, CHAPTER 132” OF THE GENERAL ORDINANCES OF THE TOWNSHIP AMENDING AND SUPPLEMENTING THE ROUTE SCENIC CORRIDOR OVERLAY (SCO) DISTRICT REGULATIONS – Introduction and Adoption on First Reading

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

Resolution No. 2017-85 - Refund of Tax Payment Bl 23 L 14

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2017 – 85

REFUND OF TAX PAYMENT

WHEREAS, the owner of Block 23 Lot 14 was granted a service connected total disability from the Department of Veteran’s Affairs indicating the total disability was effective on July 21, 2017; and

WHEREAS, the Tax Assessor granted the service connected total disability on July 21, 2017 and the homeowner paid the third quarter real estate taxes in the amount of \$2,172.59.

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 check to R. Waldo Hotz, 736 County Road 519, Frenchtown, New Jersey, 08825 in the amount of \$2,172.59.

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

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

Resolution No. 2017-86 - Award of Rock Salt Contract

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2017 - 86

**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, Morton Salt, per the bid amount set forth in correspondence from Hunterdon County dated September 20, 2017 attached hereto and made a part hereof.

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

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

Attorney K. Campbell noted that the price of Rock Salt is much lower this year than it has been in prior years.

Resolution No. 2017-87 - Approval of Acquisition of Dev Easement Bl 5 L 6

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2017 – 87

RESOLUTION OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY GRANTING FINAL APPROVAL FOR THE PROPOSED ACQUISITION OF A DEVELOPMENT EASEMENT THROUGH THE MUNICIPAL PLANNING INCENTIVE GRANT PROGRAM ON THE DESAPIO FARM, BLOCK 5 LOT 6

2017 – 216

WHEREAS, the New Jersey State Agriculture Development Committee certified a market value (CMV) of \$8,300.00 per acre for a Development Easement on property in the Township of Kingwood ("Township") known as Block 5 Lot 6, consisting of approximately 64.4+/- acres, with one non-severable exception area totaling approximately 2.0+/- acres, owned by Gaetano DeSapio ("Property Owner") which farm is contained in Kingwood Township's Municipal Planning Incentive Grant list of farms and for which the Property Owners made an individual application to the State Agriculture Development Committee pursuant to the State Agriculture Retention and Development Act, 4:1C-11 *et seq.*, the Planning Incentive Grant Program, N.J.S.A. 4:1C-43.1 *et seq.*, and the regulations thereunder; and

WHEREAS, the application provided for the proposed acquisition of a Development Easement on the aforesaid Block 5 Lot 6; and

WHEREAS, the Township notified the Property Owners of the CMV and the landowner has accepted the offer of \$8,300 per acre for an approximate total of \$517,920; and

WHEREAS, the Hunterdon County Agriculture Development Board (CADB) did not approve the application or recommend funding from the Board of Chosen Freeholders; and

WHEREAS, if the County is not participating in the easement purchase, the SADC will hold the easement pursuant to N.J.A.C. 2:76-17A.15(b) and, if so, the Township will be responsible for all title and survey costs and, after closing, eligible for a 50% reimbursement for appraisals, survey and title, if sufficient funds are available; and

WHEREAS, the estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 62.4 +/- net acres), subject to the actual acreage to be covered by the Development Easement per the final survey which conforms to the farmland preservation program requirements:

State Agriculture Development Committee

(\$5,050 per acre: 60 % of CMV and 60% of purchase price; estimated total: \$315,120)

Township of Kingwood

(\$ 3,250 per acre; 40 % of CMV and 40 % of purchase price; estimated total: \$202,800)

2017 – 217

WHEREAS, the Hunterdon Land Trust submitted a parcel application to the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) Regional Conservation Partnership Program (ACEP-ALE) for an Agricultural Land Easement (ALE); and

WHEREAS, the NRCS has determined that the Property and Landowner qualified for ACEP-ALE grant funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including a restriction to one (1) future Division of the Premises and a 4.33% maximum impervious coverage restriction (approximately 2.6 acres) for the construction of agricultural infrastructure on the Property outside of the exception area, which is the maximum allowable for this property through the ACEP-ALE program at this time; and

WHEREAS, the ACEP-ALE grant will be based on an estimated current easement value of \$8,300 per acre equating to an ACEP-ALE grant of \$4,150 per acre (50% of \$8,300) or approximately \$258,960 in total ACEP-ALE funds; and

WHEREAS, due to a shortage of available funds from the Township the requested ACEP-ALE grant funds are to be used to cover the entire local cost share and any remaining funds will be used to offset the SADC grant need; and

WHEREAS, the estimated cost share breakdown utilizing the anticipated ACEP-ALE grant would be approximately as follows (based on an estimated 62.4 net easement acres):

SADC (reduced): \$4,150 per acre or \$258,960 total
FRPP Grant: \$4,150 per acre or \$258,960 total
Kingwood Township:\$ 0

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF KINGWOOD AS FOLLOWS:

1. The Township Committee gives final approval to the proposed acquisition of a Development Easement to be held by the State Agriculture Development Committee on the DeSapio Farm, Block 5, Lot 6 in the Township of Kingwood, County of Hunterdon, State of New Jersey, on approximately 62.4 acres pursuant to the Municipal Planning Incentive grant program and application made by the Property Owners subject to the following conditions of conveyance of the easement:

a. One two-acre non-severable exception limited to one (1) residential unit (subject to any and all approvals required by applicable law, ordinances, rules and regulations);

2017 – 218

- b. No dwelling units on the easement area;
- c. No non-agricultural uses;
- d. No residual dwelling site opportunities

2. A copy of this resolution shall be sent to State Agriculture Development Committee;

3. The Township's final approval, acceptance of the application and participation in this acquisition is contingent upon approval and acceptance of the State Agriculture Development Committee and receipt of federal grant funds to match the Township's proportionate cost share of the value of the development easement.

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

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

Resolution No. 2017-88 - Extend 2% Cap on Police & Fire Arbitration Awards

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2017 - 88

URGING THE STATE LEGISLATURE TO EXTEND THE 2% CAP ON POLICE AND FIRE ARBITRATION CONTRACT AWARDS

WHEREAS, local municipalities require specific tools to address the rising cost of municipal government; and

WHEREAS, in July 2010 the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and

WHEREAS, salary costs, to a great extent, drive property tax increases; and

2017 – 219

WHEREAS, in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and

WHEREAS, the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

WHEREAS, in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

WHEREAS, municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

WHEREAS, we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

WHEREAS, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and

WHEREAS, we recognize it is now time for our taxpayers to benefit directly from these cost saving measures as many police and fire contracts will come due for negotiation after the sunset date; and

WHEREAS, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years, at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Senator Michael J. Doherty, Assemblyman John DiMaio, Assemblyman Erik C. Peterson, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of State of New Jersey and the NJ League of Municipalities.

2017 – 220

The Township Committee had brief comments regarding this resolution.

It was moved by Mr. Dodds, Mayor Lubitz stepped down from the Chair, second and carried to adopt the foregoing resolution.

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

Resolution No. 2017-89 - Designation of Township as Stigma Free Zone

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2017 – 89

**DESIGNATION OF KINGWOOD TOWNSHIP AS
A STIGMA-FREE ZONE**

WHEREAS, the Hunterdon County Board of Chosen Freeholders has adopted a Resolution designating the Hunterdon Community as a zone free of stigma towards those with a mental illness; and

WHEREAS, the members of the Hunterdon County Mental Health Board support this initiative and recognize that the initiative is aligned with the Board’s mission to raise awareness of the disease of mental illness; and

WHEREAS, the National Institute of Mental Health reports that 1 in 4 adults experience mental illness in a given year, and 1 in 17 adults live with a serious mental illness such as schizophrenia, major depression or bipolar disorder, and approximately 20% of youth ages 13 to 18 and 13% of youth ages 8 to 15 experience severe mental disorders in a given year; and

WHEREAS, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease; and

WHEREAS, Stigma-Free Zones aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma; and

WHEREAS, promoting awareness that there can be no “health” without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed; and

WHEREAS, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless; and

WHEREAS, establishing **Stigma-Free Zones** will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey hereby recognizes the community needs and supports the efforts of Hunterdon County in designating Kingwood Township as a **Stigma-Free Zone**.

Mayor Lubitz commented on the number of counties, municipalities and also the State who have adopted this resolution. It was recommended to send a copy of this resolution to Freeholder Robert Walton.

Mayor Lubitz stepped down from the Chair to make the motion, Mr. Dodds second and carried to adopt the foregoing resolution.

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

Resolution No. 2017-90 - Ridge Rd Section 2 App – NJDOT Municipal Aid Program

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2017 – 90

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RIDGE ROAD SECTION II PROJECT

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

BE IT FURTHER RESOLVED that the Mayor, Township Engineer and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Kingwood Township-00592 to the New Jersey Department of Transportation on behalf of Kingwood Township.

2017 – 222

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

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

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

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

Resolution No. 2017-91 - Relieve Tax Coll from Collecting Taxes on Bl 28 L 10.02

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2017 – 91

**TO RELIEVE THE TAX COLLECTOR FROM
COLLECTING CERTAIN TAXES**

WHEREAS, the Tax Assessor has discovered an error in the Tax Book of the Township of Kingwood, County of Hunterdon, State of New Jersey; and

WHEREAS, the Tax Assessor of the Township of Kingwood, during his course of work, has discovered the following errors:

Block 28 Lot 10.02

This said line item was assessed incorrectly in the Tax Book for the IMPROVEMENT at \$326,900 and land at \$152,300 with a total of \$479,200.

This assessment should be \$152,300 for the land and \$0 for the improvement with a total assessment of \$152,300 for ONLY January – September.

For October – December the assessment would be land at \$152,300 and improvement at \$326,900 with a total of \$479,200 as the original assessment.

Therefore this reduction of the improvement to zero is for ONLY January – September.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood relieves the Tax Collector from collecting taxes other than the corrected assessment on this block and lot for 2017.

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

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

Resolution No. 2017-93 - Approval of Acquisition of Dev Easement Bl 6 L 26 & 26.01

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2017 - 93

RESOLUTION OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY GRANTING FINAL APPROVAL FOR THE PROPOSED ACQUISITION OF A DEVELOPMENT EASEMENT THROUGH THE MUNICIPAL PLANNING INCENTIVE GRANT PROGRAM ON THE DALRYMPLE FARM, BLOCK 6 LOTS 26 and 26.01

WHEREAS, the New Jersey State Agriculture Development Committee certified a market value (CMV) of \$6,500 per acre for a Development Easement on property in the Township of Kingwood ("Township") known as Block 6, Lots 26 and 26.01, consisting of approximately 52+/- acres, with one non-severable exception area totaling approximately 4.0+/- acres, owned by Richard K. and Brian S. Dalrymple ("Property Owners") which farm is contained in Kingwood Township's Municipal Planning Incentive Grant list of farms and for which the Property Owners made an individual application pursuant to the State Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 *et seq.*, the Planning Incentive Grant Program, N.J.S.A. 4:1C-43.1 *et seq.*, and the regulations thereunder; and

WHEREAS, the application provided for the proposed acquisition of a Development Easement on the aforesaid Block 6 Lots 26 and 26.01 of approximately 48 acres; and

WHEREAS, the Township notified the Property Owners of the CMV and the landowner has accepted the offer of \$6,500 per acre for an approximate total of \$312,000; and

WHEREAS, the Hunterdon Land Trust submitted a parcel application to the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) Agriculture Conservation Easement Program (ACEP) for an Agricultural Land Easement (ALE) grant; and

WHEREAS, the NRCS has determined that the Property and Landowner qualified for ALE grant funds; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the ALE Grant, including a restriction to one (1) future Division of the Premises and a 4.67% maximum impervious coverage restriction (approximately 2.24 acres) for the construction of agricultural infrastructure on the Property outside of the exception area, which is the maximum allowable for this property through the ALE program at this time; and

WHEREAS, the Hunterdon County Agriculture Development Board approved the application but the Board of Chosen Freeholders have not yet approved holding ALE easement; and

WHEREAS, if the County decides not to participate in the easement purchase, the SADC will hold the easement pursuant to N.J.A.C. 2:76-17A.15(b) and, if so, the Township will be responsible for all title and survey costs and, after closing, eligible for a 50% reimbursement for appraisals, survey and title, if sufficient funds are available; and

WHEREAS, the estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 48 +/- net acres), subject to the actual acreage to be covered by the Development Easement per the final survey which conforms to the farmland preservation program requirements:

State Agriculture Development Committee
(\$3,900per acre: 60 % of CMV and 60% of purchase price; estimated total:
\$187,200)

Township of Kingwood
(\$ 2,600 per acre; 40 % of CMV and 40 % of purchase price; estimated total:
\$124,800.00)

WHEREAS, the ALE grant will be based on an estimated current easement value of \$7,600 per acre equating to an ALE grant of \$3,800 per acre (50% of \$7,600) or approximately \$182,400 in total ALE funds; and

WHEREAS, due to a shortage of available funds from the Township and Hunterdon County the requested ALE grant funds are to be used to cover the entire local cost share and any remaining funds will be used to offset the SADC grant need; and

WHEREAS, the estimated cost share breakdown utilizing the anticipated ALE grant would be approximately as follows (based on an estimated 48 net easement acres):

SADC (reduced): (\$2,700 per acre or \$129,600 total)

ALE Grant: (\$3,800 per acre or \$182,400 total) Kingwood Township:

\$0

WHEREAS, since the County is not participating, the SADC will hold title to the easement; and

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 Township Committee gives final approval to the proposed acquisition of a Development Easement to be held by the State Agriculture Development Committee on the Dalrymple Farm, Block 6, Lots 26 and 26.01 in the Township of Kingwood, County of Hunterdon, State of New Jersey, on approximately 48 acres pursuant to the Municipal Planning Incentive grant program and application made by the Property Owners subject to the following conditions of conveyance of the easement:

a. One four-acres non-severable exception limited to one (1) existing residential unit and one future residential unit (subject to any and all approvals required by applicable law, ordinances, rules and regulations);

b. No dwelling units on the easement area;

c. No non-agricultural uses;

d. No residual dwelling site opportunities

4. A copy of this resolution shall be sent to the State Agriculture Development Committee;

3. If the County decides to participate, Lots 26 and 26.01 shall be merged prior to or at closing as a requirement imposed by the CADB.

4. The Township's final approval, acceptance of the application and participation in this acquisition is contingent upon approval and acceptance of the State Agriculture Development Committee and receipt of federal grant funds to match the Township's proportionate cost share of the value of the development easement.

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

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

NEW BUSINESS

Recommendations from Agricultural Advisory & Open Space Advisory – Various Properties

Open Space Coordinator/CADB Liaison, Liz Schmid was present and reviewed the various properties to be preserved. The Township Committee reviewed recommendations from the Open Space and Agricultural Advisory Committees. They are recommending the township move ahead and support the preservation of the DeSapio Farm Block 5, Lot 6, the Dalrymple property Block 6, Lot 26 and the Goeckeler property Block 30, Lot 6.

Mayor Lubitz commented on all the work being done by various volunteers preserving property in Kingwood Township.

It was moved by Mr. Dodds, seconded by Mr. Ciacciarelli and carried to authorize the township to obtain a title search and proposals for a survey on the Dalrymple property Block 6, Lot 26.

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

Vote to Request Proposals for Appraisals on Bl 30 L 6 Goeckeler

It was moved by Mr. Dodds, seconded by Mr. Ciacciarelli and carried to authorize the township to obtain proposals for the appraisals on the Goeckeler property Block 30, Lot 6.

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

Vote to Authorize Payment to J Rossi for Electrical Inspector Duties

It was moved by Mr. Dodds, seconded by Mr. Ciacciarelli and carried to authorize payment to Joseph Rossi for Electrical Inspector duties in the amount of \$32.50 per hour.

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

OLD BUSINESS

PennEast Pipeline

Maureen Syrnick, member of HALT (Homeowners Against Land Taking) was present and commented on an update of the Penn East Pipeline. She stated the Penn East Pipeline is waiting for a certificate of need and necessity from FERC (Federal Energy Regulatory Commission), which has not happened yet. She believes this will happen in October. She noted this will allow Penn East to sue all property owners who have not signed an agreement with them.

Long Term Future of Email & Website

C.F.O. Diane Laudenbach noted she is working on obtaining more information for the Committee Members to review next month.

Renovations to Municipal Building

Deputy Mayor Dodds reported on repairs and maintenance, which was recently worked on outside the Municipal Building by the Department of Public Works. The Committee Members all agreed the grounds look good and that the DPW did a great job.

NJDEP Stormwater Management

Clerk MacConnell explained the NJDEP Stormwater Management plan received from the Township Engineer. She noted Engineer T. Decker recommends an ordinance be adopted next year to be put in place. A sample ordinance was provided for the Committee Members to review. It was noted the Engineer has informed the township that this ordinance will need to go out to the homeowners. Mayor Lubitz gave an explanation of retention basins, which will need to be inspected yearly throughout the township.

Parks & Recreation Committee – Recommendation on closing time for Kingwood Park during Events

Deputy Mayor Dodds explained last month’s meeting and that the Township Committee requested this go back to the Parks and Recreation Committee to discuss hours of operation for the Kingwood Park. He explained that the Parks and Recreation Committee feel the Kingwood Park facility is all outdoors, therefore hours of operation will remain the same, dusk until dawn. The Parks and Recreation Committee all agree an amendment needs to be done on Chapter 94 “Open Space and Recreation Areas” under “Hours of Operation” for the rental of the Morton Building at the Horseshoe Bend Park.

He explained the Parks and Recreation Committee reviewed the current hours in the ordinance, which they feel is too late to vacate the premises. They all agreed all events at the Morton Building should end at 10:00pm.

Attorney K. Campbell noted an ordinance will be introduced next month to amend Chapter 94 “Open Space and Recreation Areas” under “Hours of Operation”.

It was moved by Mr. Dodds, seconded by Mr. Ciacciarelli and carried to authorize to amend Chapter 94 “Open Space and Recreation Areas” under “Hours of Operation” to vacate the premises at the Morton Building at the Horseshoe Bend Park by 10:00pm.

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

MINUTES

September 7, 2017 Regular Meeting Minutes

It was moved by Mr. Dodds, seconded by Mr. Ciacciarelli and carried to approve the September 7, 2017 Regular Meeting Minutes for the Township Committee.

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

September 7, 2017 Executive Session Minutes

It was moved by Mr. Dodds, seconded by Mr. Ciacciarelli and carried to approve the September 7, 2017 Executive Session Meeting Minutes for the Township Committee.

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

EXECUTIVE SESSION – RESOLUTION NO. No. 2017-92

The following Resolution was introduced to enter into closed session at approximately 8:17P.M.:

RETURN TO REGULAR SESSION

The Township Committee returned to regular session at 9:09P.M.

It was moved by Mr. Dodds, seconded by Mr. Ciacciarelli and carried to approve to reimburse the Dalrymples for 50% share of the amount of \$2,100.00 they contributed to the initial cost of the appraisal upon the final closing.

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

ADJOURNMENT

It was moved by Mr. Dodds, seconded by Mr. Ciacciarelli and carried to adjourn the meeting at 9:10P.M. All voted Aye on Roll Call Vote.

Respectfully submitted,

Cynthia L.Keller
Deputy Clerk, RMC