

2018 - 316

December 6, 2018

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

Also present at the meeting were Deputy Mayor Thomas Ciacciarelli, Committeewoman Maureen Syrnick, Attorney Katrina Campbell, C.F.O./Tax Collector Diane Laudenbach, Deputy Clerk Michele Tipton Walters and Clerk Cynthia Keller. Mayor Dodds called the meeting to order and following the salute to the flag, read aloud the following:

NOTICE REQUIREMENTS

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 11, 2018 and by telefaxing a copy of the notice to the Express Times on January 4, 2018. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 4, 2018.

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.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Vinisha Agnihotri, Founder of Mystique Lands Inc. Present to Speak About Indoor Grow and Horticultural Research

Vinisha Agnihotri founder of Mystique Lands Inc. along with other representatives who were present to review a proposal they have to purchase or lease land in Kingwood Township, which they plan to cultivate medicinal and recreational marijuana. She reviewed the steps which will need to be taken. They need to purchase the property, develop a cultivation site, lease the dispensary, and start operations. The plan is to do a multifunction cultivation, research and extraction facility between 10 and 20,000 square feet maximum, which will be developed in stages.

Vinisha Agnihotri explained how it will benefit the community, research benefits, dispensary of benefits, and why the State wants marijuana to go recreational by 2019. She noted the Federal Government is looking for new growers to meet increased demands.

They are present this evening to seek support from the Kingwood Township Committee to help provide the State notice that we are welcome in the township to do business. Then they will proceed to get a State license, and continue the next steps to establish a multifaceted large business in a perfect farming community.

The Township Committee asked a few questions. There was a discussion regarding location and zoning. Vinisha Agnihotri noted they are looking for a letter of support from the Township Committee.

2018 - 317

It was moved by Mr. Ciacciarelli, seconded by Miss Syrnick and carried to authorize the Township Attorney to write a letter of support from Kingwood Township to Mystique Lands Inc. to research additional horticultural for a plant in Kingwood Township.

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

Deborah Kratzer, Environmental Commission Chair – Application Process for Roots for Rivers Tree Planting Project

Deborah Kratzer, Environmental Commission Chair was present to give a presentation on Roots for Rivers Tree Planting Project. She reviewed prior planting events, which have taken place at the Kingwood Park for similar projects and presented pictures from last year. She noted it is the same grant as last year. She said there is a variety of plants they can choose from the list offered. The grant application is due on December 14, 2018. The township should know by January if the township receives the grant. The grant could be from \$1,000 to \$20,000. The money would be to purchase trees, plants, shrubs and tubs to hold up the plants. The average cost is approximately \$12.00 or less for each tree plus protection. The total would come to approximately \$3,000.00. Deborah Kratzer noted they will probably schedule the planting in the month of April 2019. A report will need to be submitted of what was planted and the location. This project was presented to the Parks and Recreation Committee on December 5, 2018 and approved.

She reviewed the areas of the park they plan to plant the trees and shrubs. She explained the township needs to adopt a resolution before January 2019.

RESOLUTION

Resolution No. 2018 – 151 Resolution of Support from Local Governing Body Authorizing the Sustainable Jersey Grant Application

The following Resolution was introduced:

RESOLUTION NO. 2018 – 151

RESOLUTION OF SUPPORT FROM LOCAL GOVERNING BODY AUTHORIZING THE SUSTAINABLE JERSEY GRANT APPLICATION

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Kingwood strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Township of Kingwood is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Kingwood Township Committee of the Township of Kingwood has determined that Kingwood Township should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Kingwood Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

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

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

John Kika (KRSL) - Kingwood Recreation Soccer League

John Kika member and coach of the Kingwood Recreation Soccer League was present to represent the League. He wanted to speak to the Township Committee regarding the problems on the fields when scheduled to play soccer at the Kingwood Park. He explained that the drainage is very poor and seems like whenever it rains, they have to cancel the games the next day.

The Kingwood Recreation Soccer League is working to raise funds towards a turf field for the Kingwood Park. John Kika explained that one of the coaches of the Soccer League, Timothy Jordon has started a “Go Fund Me Page” for donations, which they raised 11,000 dollars so far for their goal of \$50,000 towards the turf fields. They are hoping that this will allow them to play on the fields without any interruptions. He explained that they are hoping to get approval from the Parks and Recreation Committee. They are looking for support from the township for this project by asking for a donation of time from the Public Works Department to help grade the fields and remove the old soil. He stated they basically need help getting the field in ready condition.

The Parks and Recreation Committee gave the (KRSL) approval to fundraise. The Township Committee noted that they are in support if they raise the funds for the turf field. The Township Committee would like the Department of Public Works to look over the area.

John Kika thanked the Township Committee for their time and support.

CORRESPONDENCE

Marijuana Legislative & Business Event – December 12, 2018

Mayor Dodds reviewed.

Resolution from Lebanon Boro – Urging Full Funding of Energy Tax Receipts Property Tax Relief Act through Passage of ACR-176

Mayor Dodds reviewed.

RESOLUTION

Resolution No. 2018 – 135 Budget Appropriation Transfers

The following Resolution was introduced:

RESOLUTION NO. 2018 - 135

2018 BUDGET APPROPRIATION TRANSFERS

BE IT RESOLVED, by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to make the following transfers within the 2018 Budget Appropriations:

FROM ACCOUNT	TO ACCOUNT	AMOUNT
Streets & Roads – S/W	Vehicle Maintenance – O/E	20,000.00
Financial Administration – S/W	Municipal Court Administration – S/W	6,200.00
Administrative/Executive – O/E	Codification & Revision of Ordinances	2,000.00
Recreation – O/E	Parks and Playgrounds – O/E	500.00

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

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

BILLS AND CLAIMS

It was moved by Mr. Ciacciarelli, seconded by Miss Syrnick and carried to approve and pay all bills and claims in the amount of **\$674,403.85** that are in order and attached as Bill List for December, 2018.

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

REPORTS

Emergency Management Coordinator – December 2018

Jack MacConnell – reported he closed Union Rd, Thatcher Rd and parts of Barbertown Point Breeze Rd due to flooding of the Lockatong Creek. He noted the Township Engineer feels there are serious problems in areas of the township. Jack MacConnell noted he has put in 37 hours so far this year working on the roads during storms, and flooding. There were two incidents at the Horseshoe Bend Park recently, which he reviewed. Poachers have been sited on the Horseshoe Bend Park property.

Animal Control Solutions – Report of October 2018
Bill List – December 2018
Budget Status Report of December 2018

Court Report of October/November 2018

Deputy Mayor Ciacciarelli explained Kingwood Township's Court Administrator and Judge are retiring. The township is looking into a shared court with Lambertville. Deputy Mayor Ciacciarelli spoke to Mayor DeIVechio from Lambertville who is very interested to opening up their court for a shared court with Kingwood. He also met with the Administrator of the Courts, who explained everything that would need to be done. The process of setting up a shared court with Lambertville would take approximately 3-6 months.

Construction Department Reports – Fee/Permit Logs of September 2018

Dog Licensing Agent Report – November 2018/News - NJ Dept. of Health on Animal Cruelty

Michele Bobrowski, Kingwood Dog License Agent was present and reviewed an update on an incident which occurred recently in the township. She stated, Animal Control Solutions would like to start charging fees for stray cats in the township. She spoke to several towns who do not go out on stray cat calls, because it costs too much. She reviewed the new requirements for municipalities in New Jersey, which is to inform licensed dog owners of the Animal Cruelty Law, which will take effect in 2019. Michele Bobrowski noted the township will need to notify the residents with a small note in with their dog license renewals regarding the new Animal Cruelty Laws, which will be available on the township's website.

Engineer's Report of November 2018

Monthly Time Logs – November 2018 - Secretary of Boards/Committees

Deputy Mayor Ciacciarelli requested a final summary of the time logs.

NJSP Report of October and November 2018
Revenue Report – December 2018
Tax Collector Report for November 2018
Zoning Official Report for September/October 2018
Township Committee Liaison Monthly Reports

Mayor Dodds, Parks and Recreation Liaison

2018 - 321

Mayor Dodds reported Deborah Kratzer, Environmental Commission Chair, came to the Parks and Recreation for approval to apply for the grant for Roots for Rivers Tree Planting Project to plant the trees at the Kingwood Park. The Parks and Recreation Committee approved the project.

Deputy Mayor Ciacciarelli, DPW Liaison, Municipal Office Liaison

Deputy Mayor Ciacciarelli noted meeting with Goldstein Partnership Architects, Twp. Engineer, Construction Official, and the Department of Public Works Supervisor on the renovations for the DPW building. The architect will be working on new preliminary sketches for the Department of Public Works and an estimate to renovate the existing building. They will be coming to do a survey of the current municipal building on December 20, 2018.

Regarding the Department of Public Works Local Union Contract, Deputy Mayor Ciacciarelli would like to work on the Local Union Contract early in the 2019. The DPW Supervisor's Mark Petro date of retirement is the last day in January 2019.

Committeewoman Syrnick, Environmental Commission/Open Space Liaison

Committeewoman Syrnick noted Stephanie Miller, Regional Acquisitions Coordinator for the State Agriculture Development Committee would like to come and speak to the Open Space/Ag Committees. She noted Liz Schmid is still doing a great job for the township. She noted there is a property very close to closing for preservation. She attended a hearing with a few of the Environmental Commission members regarding corporate business tax that would go towards an open space fund, which is increasing in 2019. She noted a bill will be coming out for discussion in January or February for how these funds will be distributed.

The Environmental Commission is applying for the grant for the Roots for Rivers Tree Planting Project. Sandy McNicol has expressed she would like to close the access to the recycling on certain dates. Deputy Mayor Ciacciarelli explained a town who sent out a letter to residents telling them the recycling center will need to close if they do not recycle the correct items. He noted that recycling center actually closed. He would like the township to send out a letter following the recycling coordinator's approval of the letter.

FUTURE MEETINGS AND ACTIVITIES

Mayor Dodds reviewed as per the agenda.

ORDINANCES

ORDINANCE NO. 19-19-2018 AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE DONATION OF LAND LOCATED AT 101 BYRAM LANE - VOL. 19, PG. 19-19-2018 - 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 1st day of November, 2018.

The Ordinance was published in the Hunterdon County Democrat on November 8, 2018 and has been posted in the Kingwood Township Municipal Building on November 2, 2018. Copies of the Ordinance have been available for inspection by the public since November 2, 2018.

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

Public Comments: Mrs. Maurer was present and asked a few questions.

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

ORDINANCE NO. 19-19-2018

ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF THE DONATION OF LAND LOCATED AT 101 BRYAM LANE, KINGWOOD TOWNSHIP, NEW JERSEY

WHEREAS, the Flood Mitigation Assistance Grant Program (“FMA”) provides funding to States, Territories, federally-recognized tribes and local communities for projects and planning that reduces or eliminates long-term risk of flood damage to structures insured under the National Flood Insurance Program (“NFIP”) and the Federal Emergency Management Agency (“FEMA”) has designated the New Jersey Office of Emergency Management (“OEM”) as the Grantee to receive, administer, and disburse FEMA mitigation funds for local government mitigation projects in areas of New Jersey and to provide technical assistance with the FMA; and

WHEREAS, Warren and Hunterdon County previously entered into a Memorandum of Understanding under which the counties agreed to submit a joint application for the FMA Grant as a regional project and to disburse any funds awarded under the grant between the two counties; and

WHEREAS, Warren County and Hunterdon County submitted a Subgrant Project Application, Scope of Work, Schedule, Summarized Cost Estimate and other documentation setting forth a proposed list of activities for approval by the OEM and FEMA; and

WHEREAS, the proposed action was for the acquisition-demolition of approximately twenty residential structures in Warren and Hunterdon Counties; and

WHEREAS, one of the properties proposed for acquisition and demolition is Block 51, Lot 13 on the Official Tax Map of the Township of Kingwood, more commonly known as 101 Byram Lane, Kingwood, New Jersey; and

WHEREAS, on May 18, 2005, the Township of Kingwood authorized their participation in the FMA Grant opportunity and agreed to acquire interested Severe Repetitive Loss properties;

WHEREAS, the County of Warren has notified the Township that they are ready to close on this property at which time the property would be transferred to the Township of Kingwood; and

WHEREAS, the Township desires of accepting the property in accordance with the Agreement of Donation between the County of Warren and Kingwood Township.

NOW THEREFORE IT BE ORDAINED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, that the Mayor of the Township of Kingwood is hereby authorized to execute the Agreement of Donation between the County of Warren and the Township of Kingwood.

BE IT FURTHER ORDAINED that the Township of Kingwood is hereby authorized to accepted title to Block 51, Lot 13 for the total sum of \$1.00 subject to the aforementioned Donation Agreement.

BE IT FURTHER ORDAINED that the Mayor and Township Clerk are hereby authorized to sign the Deed and any other documents to effectuate the transfer of this property to the Township of Kingwood.

It was moved by Mr. Ciacciarelli, seconded by Miss Syrnick and carried to adopt the foregoing Ordinance.

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

RESOLUTIONS

Resolution No. 2018 -138 Authorizing Salary for Acting/Temporary Court Administrator

The following Resolution was introduced:

RESOLUTION 2018 - 138

**RESOLUTION AUTHORIZING THE SALARY FOR ACTING/TEMPORARY
MUNICIPAL COURT ADMINISTRATOR**

WHEREAS, the Kingwood Township Committee appointed Acting/Temporary Court Administrator, Patricia Wozniak on November 1, 2018 with a start date of December 3, 2018 for the Kingwood/Milford Shared Court; and

WHEREAS, the Township Committee has now determined a salary for the Acting/Temporary Municipal Court Administrator for the Calendar Year 2018; and

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Kingwood, Hunterdon County, New Jersey, hereby authorizes the annual salary amount of \$27,612.00 for Kingwood Court and \$12,000.00 for Milford Court Acting/Temporary Municipal Court Administrator, Patricia Wozniak effective December 3, 2018, prorated.

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

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

RESOLUTION

Resolution No. 2018 -139 Shared Services Agreement Extension for a Shared Court

The following Resolution was introduced:

RESOLUTION NO. 2018 - 139

AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT FOR MUNICIPAL COURT SERVICES

WHEREAS, the Township of Kingwood (Kingwood) and the Borough of Milford (Milford) presently share municipal court services with offices in the municipal building at 599 Oak Grove Road, Frenchtown, New Jersey pursuant to *N.J.S.A. 2B:12-1(c)* and a Shared Services Agreement (the “Agreement”) which was previously reviewed and approved by the Township Committee of Kingwood and the Common Council of Milford; and

WHEREAS, such shared service agreements are authorized by the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1, et. seq.*; and

WHEREAS, Article II of the Agreement provides that the term for the Agreement shall conclude on December 31, 2019, or when this Shared Service Agreement can be transferred to Lambertville Municipal Court, whichever is sooner; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the Mayor of the Township of Kingwood be and shall hereby is authorized to execute the Agreement for no longer than a one year period on behalf of the Township.

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

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

RESOLUTION

Resolution No. 2018 -140 Governor’s Council on Alcoholism & Drug Abuse Fiscal Grant

The following Resolution was introduced:

RESOLUTION NO. 2018 –140

**GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE JULY 1, 2019 – JUNE 30, 2020**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Hunterdon;

NOW, THEREFORE, BE IT RESOLVED that the Township of Kingwood, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Kingwood Township Committee does hereby authorize submission of a strategic plan for the Delaware Valley Municipal Alliance grant for fiscal year 2020 in the amount of:
2.

DEDR	\$20,777.00
Cash Match	\$ 5,194.25
In-Kind	\$15,582.75
3. The Kingwood Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

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

RESOLUTION

Resolution No. 2018 -141 Authorizing Cancellation of Municipal Cert. Sale B113, L3.02

The following Resolution was introduced:

RESOLUTION NO. 2018 – 141

RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, the following Certificate of Sale:

TTL 17-005 – Block 13, Lot 3.02

was issued to the Township of Kingwood for delinquent taxes at a tax sale held on June 21, 2017 and

WHEREAS, the Township has received the redemption amount of \$4,106.98 from the property owner for the redemption on the above Tax Title Lien.

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 the above Certificates of Sale for cancellation.

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

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

RESOLUTION

Resolution No. 2018 -142 Combining Bank Accounts

The following Resolution was introduced:

RESOLUTION NO. 2018 – 142

COMBINING BANK ACCOUNTS

WHEREAS, Kingwood Township has several accounts that are charged a monthly maintenance fee, and

WHEREAS, it is advantageous to Kingwood Township to combine the accounts into a joint account for the following accounts:

- Recycling Trust To General Trust
- Snow Removal To General Trust
- Accumulated Absences To General Trust
- Human Services To General Trust
- Unemployment Trust To General Trust
- Tax Collector’s Trust To General Trust
- Dog Licensing To Animal Control

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee that the above accounts should be combined into one account eliminating the assessing of the monthly maintenance fee for the separate accounts.

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

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

RESOLUTION

Resolution No. 2018 -143 Performance Bond Release – Bunker Hill Homes Bl 22, L17

The following Resolution was introduced:

RESOLUTION NO. 2018 - 143

RESOLUTION TO APPROVE RELEASE OF A BALANCE

OF A PERFORMANCE GUARANTEE AND POSTING OF A MAINTENANCE GUARANTEE

WHEREAS, Bunker Hill Homes, Inc., the owner of Block 22, Lot 17, also known as Laurelton-Belmont and located on Barberton-Point Breeze Road (“Property”) submitted a Performance Guarantee consisting of both a cash deposit and a performance bond to the Township of Kingwood to guarantee completion of the improvements to the Property as required by the Planning Board; and

WHEREAS, the cash deposit and performance bond were previously reduced by **Resolution No. 2008 - 36** as adopted on March 4, 2008 with a continued retention of \$188,657.16 of which \$18,865.72 was a cash deposit with the balance of \$169,791.44 posted in the form of a bond; and

WHEREAS, the development has proceeded to completion and Bunker Hill Homes Inc. has requested that the balance of its posted performance guarantee be released; and

WHEREAS, the release has been approved by the Township Engineer per the Engineer’s report dated November 21, 2018 with a posting of a two (2) year Maintenance Guarantee in the amount of \$67,022.80 pursuant to N.J.S.A. 40:55D-53; and

WHEREAS, according to the further report of the Township Engineer dated November 21, 2018 and attached hereto as Exhibit A, the Maintenance Guarantee may be posted as a cash deposit totaling \$6,702.28, with the balance of \$60,320.52 posted in the form of a bond or approved letter of credit;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Kingwood, that:

- (1) The balance of the Performance Guarantee retained for the Property may be released by the posting of a Maintenance Guarantee for a period of two (2) years with a cash deposit totaling \$6,702.28 and the remaining obligation being satisfied by a \$60,320.52 maintenance bond or approved letter of credit, for a total Maintenance Guarantee to be retained by the Township in the amount of \$67,022.80, according to the November 21, 2018 report of the Township Engineer; and

(2) That all cash deposits in excess of \$6,702.28 be refunded to Bunker Hill Homes Inc.

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

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

RESOLUTION

Resolution No. 2018-144 Professional Services Agreement

The following Resolution was introduced:

RESOLUTION NO. 2018 - 144

**RESOLUTION AUTHORIZING THE AWARD OF
NON-FAIR AND OPEN CONTRACT**

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

WHEREAS, the Township Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

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

WHEREAS, the professional set forth below has submitted a proposal indicating they will provide the professional services described below for the amount set forth in the submitted proposal; and

WHEREAS, the professional set forth below has 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 authorizes the Mayor and Clerk to enter into a contract with the professional as described below:

Goldstein Partnership
515 Valley Street, Suite 110
Maplewood, NJ 07040

\$19,500.00

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

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

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

RESOLUTION

Resolution No. 2018 -145 Planning Incentive Grant Program List of Farms

The following Resolution was introduced:

RESOLUTION NO. 2018 – 145

**PLANNING INCENTIVE GRANT PROGRAM
LIST OF FARMS**

Whereas, Kingwood Township has an established Municipal PIG program; and

Whereas, the Township has successfully preserved numerous farms within the Municipal PIG; and

Whereas, the Township wishes to expand the opportunity for preservation to additional farms in the Township; and

Whereas, the Township will pursue these opportunities as the landowners indicate interest in preservation and as the Township has or can acquire funding to complete preservation projects:

Now, Therefore, Be It Resolved by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that Kingwood Township requests the addition of the following properties within Kingwood Township to the Township’s **Target Farm** list:

M. DeSapio (Block 6, L 11), Ridge Rd. 48.9 Acres

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

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

RESOLUTION

Resolution No. 2018 -146 Reimbursement of Security Deposit – Kindred Companions

The following Resolution was introduced:

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

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

RESOLUTION

Resolution No. 2018- 147 Hunterdon County Municipal Grant Program Allocation

The following Resolution was introduced:

RESOLUTION NO. 2018 – 147
HUNTERDON COUNTY MUNICIPAL GRANT
PROGRAM ALLOCATION

WHEREAS, the Township of Kingwood has been allocated an amount in the Hunterdon County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Municipal Grant Program for the year 2017;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey to request the County to bank and reserve any funds dedicated to Kingwood Township in the Hunterdon County Open Space Municipal Grant Program that have not been utilized, due to the Township’s intention to utilize the funds for ancillary costs on projects during 2019.

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

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

NEW BUSINESS

Schedule Last Twp. Committee Meeting in December 2018

The Township Committee agreed to schedule the end of the year meeting on December 28, 2018 3:00P.M.

Schedule Reorganization/Regular Mtg. January 2019

Meeting to be scheduled on January 3, 2018. The Reorganization Meeting to begin at 5:30PM with the Regular Township Meeting following at 7:00PM.

2018 – 331

Office Hours - Monday, December 24th, and Monday, December 31st

The Township Committee agreed to close the municipal offices on December 24, and December 31, 2018 since they fall on a Monday this year.

Kingwood Volunteer Fire Co. – Accessing Fuel

Mayor Dodds noted this will be tabled until the next meeting. The President of the Kingwood Volunteer Fire Company would like to be present when this is discussed.

Review Municipal Appointments for 2019

The Township Committee reviewed the list of appointments for 2019.

Mayor Dodds explained that the Parks and Recreation Commission expressed they would like to expand to a five members on the Recreation Commission for New Year. The current ordinance will need to be amended.

Time Sheets

C.F.O. D. Laudenbach noted this is needed for part-time employees due to the new “Sick Leave Law”. If an employee obtains less than 40 hours of sick leave, then the township must keep track of their hours. They will obtain an hour for up to every 40 hours worked, which can be carried over each year.

The Township Committee requested D. Laudenbach introduce a new time sheet for the next township meeting to review.

Animal Control Solutions/Cat Protocol – Request for Response

Township Committee are not interested in the proposed cat protocol and would like to continue with the current conditions stated in the agreement.

Moody’s Investor Service/PFG Issuer Comment Report for 2018

Mayor Dodds reviewed.

Amendments to the Employee Handbook and Personnel Policies and Procedures Manual – Resolution No. 2018 – 137 Amending Employee Handbook – Mileage Policy

Township Attorney K. Campbell and C.F.O. D. Laudenbach reviewed the amendments to the Employee and Personnel Policies and Procedures Manual – Mileage Policy. Attorney K. Campbell stated the starting point to calculate should be from the Municipal building in Kingwood.

RESOLUTION

The following Resolution was introduced:

**RESOLUTION NO. 2018 - 137
A RESOLUTION AMENDING THE KINGWOOD TOWNSHIP EMPLOYEE HANDBOOK**

WHEREAS, the Township of Kingwood has reviewed the current Township Employee Handbook and Personnel Policies and Procedures; and

WHEREAS, the Township Committee desires to amend the Employee Handbook and Personnel Policies and Procedures Manual by amending the Attendance and Punctuality; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Kingwood, County of Hunterdon, that the Kingwood Township Employee Handbook and Personnel Policies and Procedures Manual is amended as follows:

Mileage Reimbursement Policy

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

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

The following was moved from Executive Session to Regular Session:

Sick time/Vacation time:

Deputy Mayor Ciacciarelli suggested changes under Sick Time/Vacation Time. Doctor’s note after 5 days, in place of 3 days, which is currently in the handbook. There was a discussion what constitutes sick time, which should be amended in the handbook. It was discussed how a person should be able to use sick days for reasons other than being sick, which is called PTO - (Paid Time Off) in place of sick days.

Attorney K. Campbell explained time needs to be calculated. Sick time is accumulated up to 60 days. The Township Committee agreed the new wording to be incorporated into the Local Union Agreement as well as the Employee Handbook and Personnel Policies and Procedures Manual.

It was moved by Mr. Ciacciarelli, seconded by Miss Syrnick and carried to authorize the Township Attorney to incorporate the amendments for sick time into the Employee Handbook and Personnel Policies and Procedures Manual as well as the DPW Local Union Agreement.

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

Recommendation from Open Space/Ag Committees – ROSI Submission Bl 38, L 12

Mayor Dodds reviewed the recommendation from the Open Space/Ag Committees. They would like Block 38, Lot 12 to be added to the existing properties on the Township’s Recreation and Open Space Inventory (ROSI) Green Acres Program.

Request from Kingwood Twp. Fire Department

The Kingwood Volunteer Fire Company has recently had a number of members that have taken an approved New Jersey State Police Fire Police course. In accordance with the training and State of NJ Laws, the President of the Fire Company is requesting these members be sworn in by the Township at their Reorganization Meeting. The Township Committee agreed they would like to invite the members to come to the scheduled Reorganization Meeting on January 3, 2019 beginning at 5:30PM.

COAH

Attorney K. Campbell explained the following amendments:

Ratify Fair Share Settlement Agreement (previously approved)

It was moved by Mr. Ciacciarelli, seconded by Miss Syrnick and carried to approve the Mount Laurel IV Fair Share Settlement Agreement amended December 3, 2018.

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

Approve Affordable Housing Spending Plan

It was moved by Miss Syrnick, seconded by Mr. Ciacciarelli and carried to approve the Kingwood Township Affordable Housing Trust Fund Third Round Housing Spending Plan Element and Fair Share Plan of November 2018.

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

RESOLUTION

Resolution No. 2018 - 148 Resolution of Intent to Fund Spending Plan Shortfall for Affordable Housing Programs in Fair Share Plan

The following Resolution was introduced:

RESOLUTION NO. 2018 - 148

TOWNSHIP OF KINGWOOD

COUNTY OF HUNTERDON, STATE OF NEW JERSEY

RESOLUTION OF INTENT TO FUND SPENDING PLAN SHORTFALL FOR

AFFORDABLE HOUSING PROGRAMS IN FAIR SHARE PLAN

WHEREAS, certain portions of the Housing Plan Element and Fair Share Plan as adopted by the Kingwood Township Planning Board on July 12, 2018 (2018 Fair Share Plan) and endorsed by the Governing Body of the Township of Kingwood provide for a financial commitment by the Township; and

WHEREAS, through the Superior Court process in which Kingwood Township seeks a judgment of compliance and repose for its Third-Round affordable housing obligations, Kingwood Township has entered into a settlement agreement with the Fair Share Housing Center that requires Kingwood Township to state its intent to cover any shortfall in the funding of its affordable housing programs as set forth in Kingwood Township’s Spending Plan and the 2018 Fair Share Plan, including its intention to incur bonded indebtedness, if necessary, to provide the funds required for the timely implementation of the Fair Share Plan;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Kingwood, in the County of Hunterdon, New Jersey, as follows:

1. That to the degree that the funds required for the implementation of the Township's adopted 2018 Fair Share Plan, as more particularly set forth in the Spending Plan adopted by the Kingwood Township Committee are not available at the time they are needed from funds collected from developers under Kingwood Township’s Development Fee Ordinance, or from in lieu payments from developers (if any), or from outside grants, the Township will provide the funding needed to cover any shortfall from appropriations in the Township's annual budget or by incurring indebtedness by authorizing and issuing, pursuant to the Local Bond Law, bonds and/or bond anticipation notes to the extent of the funding deficiency, with the understanding that any payments subsequently collected from developers under the Development Fee Ordinance during the Third Round compliance period or any "in lieu of" contributions from developers during the Third Round compliance period may be used to reimburse the Township for the costs of the programs such funds are intended to cover; and

2. That the Township currently has the unencumbered capacity to incur such debt under the Local Bond Law.

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

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

ORDINANCES

ORDINANCE NO. 19-22-2018 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 132 ZONING, ARTICLE I, GENERAL PROVISIONS, SECTION 132-13 “DEVELOPMENT FEES” THAT PROVIDES FOR THE COLLECTION OF DEVELOPMENT FEES IN SUPPORT OF AFFORDABLE HOUSING AS PERMITTED BY THE NEW JERSEY FAIR HOUSING ACT– Introduction to Pass on First Reading

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

It was moved by Mr. Ciacciarelli, seconded by Miss Syrnick and carried to approve on first reading **ORDINANCE NO. 19-22-2018 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 132 ZONING, ARTICLE I, GENERAL PROVISIONS, SECTION 132-13 “DEVELOPMENT FEES” THAT PROVIDES FOR THE COLLECTION OF DEVELOPMENT FEES IN SUPPORT OF AFFORDABLE HOUSING AS PERMITTED BY THE NEW JERSEY FAIR HOUSING ACT.**

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

Consideration of final adoption at a public hearing is scheduled for Friday, December 28, 2018 at a meeting beginning at 3:00 P.M. at the municipal building.

ORDINANCE NO. 19-23-2018 AN ORDINANCE AMENDING CHAPTER CXXXIII, AFFORDABLE HOUSING, ARTICLE II, THIRD ROUND AFFORDABLE HOUSING REGULATIONS, ARTICLE III, ACCESSORY APARTMENTS, AND CHAPTER CXXXII, ZONING, CREATING NEW REGULATIONS FOR AFFORDABLE ACCESSORY APARTMENTS TO ADDRESS KINGWOOD TOWNSHIP’S THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS – Introduction to Pass on First Reading

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

It was moved by Mr. Ciacciarelli, seconded by Miss Syrnick and carried to approve on first reading **ORDINANCE NO. 19-23-2018 AN ORDINANCE AMENDING CHAPTER CXXXIII, AFFORDABLE HOUSING, ARTICLE II, THIRD ROUND AFFORDABLE HOUSING REGULATIONS, ARTICLE III, ACCESSORY APARTMENTS, AND CHAPTER CXXXII, ZONING, CREATING NEW REGULATIONS FOR AFFORDABLE ACCESSORY APARTMENTS TO ADDRESS KINGWOOD TOWNSHIP’S THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS.**

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

Consideration of final adoption at a public hearing is scheduled for Friday, December 28, 2018 at a meeting beginning at 3:00 P.M. at the municipal building.

OLD BUSINESS

PennEast Pipeline

Mayor Dodds and Attorney K. Campbell gave an update.

Municipal Building Renovations – Update

This was discussed earlier in the meeting.

DeRewal Site Parking- Update

There is not much to update at this time.

Update – Humane Law Enforcement Officer

This was discussed earlier in the meeting.

Update - Shared Court

This was discussed earlier in the meeting.

Discussion on Temporary/Seasonal Parking –Route 29 (Danial Bray Hwy) from May – September

There was a discussion on a possible ordinance that would state no parking on Route 29. Attorney K. Campbell to contact a representative named Marlyn Doley from the State Parks and Forestry.

Update on Stormwater Basins

To be discussed at the January 3, 2019 meeting.

MINUTES

November 1, 2018 Regular Meeting

It was moved by Mr. Ciacciarelli, seconded by Miss Syrnick and carried to approve the Regular Meeting Minutes of the November 1, 2018 Township Committee meeting.

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

November 1, 2018 Executive Session

It was moved by Mr. Ciacciarelli, seconded by Miss Syrnick and carried to approve the Executive Session Meeting Minutes of the November 1, 2018 Township Committee meeting.

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

EXECUTIVE SESSION - RESOLUTION NO. 2018 - 149

The following Resolution was introduced to enter into closed session at approximately 9:50P.M.:

RESOLUTION NO. 2018 - 149

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:

- a 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:
 - Personnel**
 - Expense Reimbursements/Tax Assessor
 - DPW Laborer Position/Salaries for 2018 – 2019 Addendum to DPW Collective Agreement
 - Health Benefit Waiver
 - Litigation**
 - PennEast Pipeline - Update
 - Zoning Violation**
 - Block 8, Lot 18 County Road 519

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.

- 3. This resolution shall take effect immediately.
- 4. The Township Committee may take additional action upon returning to regular session.

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

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

RETURN TO REGULAR SESSION

The Township Committee returned to Regular Session at 11:11P.M.

Resolution - Appointment – Department of Public Works Laborer

The Township Committee requested this resolution be tabled at this time. They would like the Clerk to re-advertise for the position.

ADJOURNMENT

It was moved by Mr. Ciacciarelli, seconded by Miss Synchron and carried to adjourn the meeting at 11:15P.M. All voted Aye on Roll Call Vote.

Respectfully submitted,

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