



## **KINGWOOD TOWNSHIP COMMITTEE**

### **REGULAR MEETING MINUTES**

### **MAY 4, 2023 – 7:00 P.M.**

Mayor Andrew Russano, Jr., called the regular meeting of the Kingwood Township Committee to order on May 4, 2023 at 7:00 P.M. Mayor Russano announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to the Hunterdon County Democrat, Courier News, and the Trenton Times, was posted on the bulletin board in the Municipal Building and filed with the Township Clerk on January 12, 2023.

#### **PLEDGE OF ALLEGIANCE**

Mayor Russano led those in attendance in the pledge to the nation's flag.

#### **MOMENT OF SILENCE**

Mayor Russano ordered a moment of silence in remembrance of all those serving.

#### **ROLL CALL**

Present: Mayor Andrew Russano, Jr., Deputy Mayor Maureen Syrnick, Committeeman Lance Riggio, Acting Township Clerk Tiffany Crivelli, Deputy Clerk Michele Tipton-Walters, CFO Diane Laudenbach and Township Attorney James Moscagiuri.

#### **PROCLAMATIONS**

**54<sup>th</sup> Annual Professional Municipal Clerks Week**  
**April 30<sup>th</sup> – May 6<sup>th</sup>, 2023**

**WHEREAS**, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

**WHEREAS**, the Office of the Professional Municipal Clerk is the oldest among public servants; and

**WHEREAS**, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

**WHEREAS**, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

**WHEREAS**, The Professional Municipal Clerk serves as the information center on functions of local government and community; and

**WHEREAS**, Professional Municipal Clerks continually strive to improve the administration of the affairs of The Office of the Professional Municipal Clerk through participation in education

programs, seminars, workshops and annual meetings of their state, provincial, county and international professional organizations; and

**WHEREAS**, it is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk

**NOW, THEREFORE, BE IT RESOLVED**, I, Mayor Andrew Russano, Jr., along with Deputy Mayor Maureen Syrnick, and Committeeman Lance Riggio of the Kingwood Township Committee, do recognize the week of April 30<sup>th</sup> through May 6<sup>th</sup>, 2023 as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Tiffany Crivelli, Deputy Clerk Michele Tipton-Walters, and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

### **Recognition of First Responders**

**WHEREAS**, First Responders dedicate their lives to public service, education, and the protection of residents, their property, and the environment; and

**WHEREAS**, First Responders include professions such as first aid personnel, firefighters, and police officers; and

**WHEREAS**, at a moment's notice, First Responders are quick to respond to dangerous and distressing situations that threaten our communities; and

**WHEREAS**, May 4<sup>th</sup> is International Firefighter's Day, May 13<sup>th</sup> – 19<sup>th</sup> is National Police Week, and May 20<sup>th</sup> – 26<sup>th</sup> is National EMS Week.

**NOW, THEREFORE, BE IT RESOLVED**, I, Mayor Andrew Russano, Jr., along with Deputy Mayor Maureen Syrnick, and Committeeman Lance Riggio of the Kingwood Township Committee, extend our best wishes to all First Responders for their unwavering commitment for providing essential emergency care and services to the residents.

### **ADOPTION OF THE 2023 MUNICIPAL BUDGET**

Township Auditor John Weiss, CPA, discussed the 2023 Municipal Budget. Auditor Weiss noted that the Township controls the budget and spending well. Auditor Weiss then discussed the item listed on the Capital Budget, Ordinance 20-08-20, that allotted preliminary expenses for a municipal building.

Mayor Russano noted that the goal was achieved to maintain a 0% tax increase due to the conservative collaboration of all involved.

A motion by Syrnick, seconded by Riggio to open the floor for public comment on the 2023 Municipal Budget was unanimously approved by voice vote.

Hearing no comments from the public, a motion by Syrnick, seconded by Riggio to close the floor to public comment on the 2023 Municipal Budget was unanimously approved by voice vote.

A motion by Syrnick, seconded by Riggio, to adopt Resolution #2023-62 was unanimously approved by roll call vote.

*Riggio: Yes; Syrnick: Yes; Russano: Yes*

## RESOLUTION NO. 2023 – 62

### Adoption of 2023 Budget

**BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 2,038,200.00 (Items 2 below) for municipal purposes; and
- (b) \$ - (Items 3 below) for school purposes in Type I School Districts only (NJS 18A:9-2) to be raised by taxation; and
- (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (NJS 18A:9:3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations; and
- (d) \$ 188,358.31 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ - (Item 5 below) Minimum Library Tax

### SUMMARY OF REVENUES

1. General Revenues:		
Surplus Anticipated	08-100	\$ 603,600.00
Miscellaneous Revenues Anticipated	13-099	\$ 779,598.02
Receipts from Delinquent Taxes	15-499	\$ 350,974.54
2. Amount to be Raised by Taxation for Municipal Purposes (item 6(a), Sheet 11)	07-190	\$ 2,038,200.00
3. Amount to be Raised by Taxation for Schools in Type I School Districts Only:		
Item 6, Sheet 41	07-195	\$ _____
Item 6 (b), Sheet 11 (NJS 40A:4-14)	07-191	\$ _____
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		
4. To Be Added to the Certificate for Amount to be Raised by Taxation for Schools in Type II School Districts only:		
Item 6 (b), Sheet 11 (NJS 40A:4-14)	07-191	
5. Amount To Be Raised By Taxation		
Minimum Library Levy	07-192	
Total Revenues	13-299	<u>\$ 3,772,372.56</u>

### SUMMARY OF APPROPRIATIONS

General Appropriations:		
Within "CAPS"		
(a & b) Operations Including Contingent	34-201	\$ 2,135,189.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 199,127.00

(g) Cash Deficit Excluded from "CAPS"	46-885	-
(a) Operations – Total Operations Excluded from "CAPS"	34-305	\$ 111,874.03
(c) Capital Improvements	44-999	\$ 639,482.53
(d) Municipal Debt Service	45-999	\$ 99,200.00
(e) Deferred Charges - Municipal	46-999	\$ 21,200.00
(f) Judgments	37-480	-
(n) Transferred to Board of Education for Use of Local Schools (NJS 40:48-17.1&17.3)	29-405	-
(g) Cash Deficit	46-885	-
(k) For Local District School Purposes	29-410	-
(m) Reserve for Uncollected Taxes	50-899	\$ 566,300.00
6. School Appropriations – Type 1 School Districts Only (NJS 40A:4-13)	07-195	
Total Appropriations	34-499	\$ 3,772,372.56

### **COMCAST RIGHT-OF WAY**

Robert Clifton from Comcast spoke about the proposed fiber optic line on Route 12. Mr. Clifton noted that Comcast Business would be the only potential benefit to the municipality, but that there could be potential for extending for residential use in the future.

A motion by Syrnick, seconded by Riggio to approve Resolution 2023-57 was unanimously approved by roll call vote.

*Riggio: Yes; Syrnick: Yes; Russano: Yes*

### **RESOLUTION NO. 2023 – 57**

#### **Authorizing Execution of Rights-Of-Way Agreement by And Between the Township of Kingwood ("Municipality") And Comcast Business Communications, LLC, To Permit the Installation, Use and Maintenance of Telecommunications Facilities Within Public Rights-Of-Way for Purposes of Providing Telecommunications Services**

WHEREAS, Comcast Business Communications, LLC ("CBC"), a local exchange and interexchange telecommunications services provider, with offices located at 1701 JFK Boulevard, Philadelphia, Pennsylvania 19103, is authorized to provide local exchange and interexchange telecommunications services throughout the State of New Jersey pursuant to an Order dated February 15, 2001, issued by the New Jersey Board of Public Utilities ("NJBP") in Docket No. TE00100789; and

WHEREAS, CBC has requested the consent of the Municipality to occupy public rights-of-way within the Municipality for the purpose of constructing, installing, operating, repairing, maintaining, or replacing a telecommunications system; and

WHEREAS, it is deemed to be in the best interest of the Municipality and its citizenry, particularly including the commercial and industrial citizens, for the Municipality to grant municipal consent to CBC to occupy the public rights-of-way within the Municipality for this purpose; and

WHEREAS, the granting of such consent is and shall be conditional upon CBC's compliance with all existing and future applicable ordinances of the Municipality and its entering into a written agreement with the Municipality to, inter alia, indemnify and hold the Municipality harmless as to all claims and liability resulting from any injury or damage caused by CBC which may arise from the construction, installation, operation, repair, maintenance, disconnection, replacement and removal of its telecommunications system within certain public rights-of-way and its provision of liability insurance coverage for personal injury and property damage.

NOW THEREFORE, BE IT RESOLVED, By the Governing Body of The Township of Kingwood:

1. That non-exclusive consent is hereby granted to CBC to occupy the public rights-of-way within the Municipality for the purpose of construction, installation, operation, repair, maintenance and replacement of a telecommunications system for a period of fifty (50) years;
2. That the within granted permission is conditioned upon CBC entering into the attached Rights-of-Way Use Agreement with the Municipality and providing liability and property damage insurance coverage;
3. That the Mayor and Municipal Clerk are hereby authorized to execute the attached Rights-of-Way Use Agreement; and
4. That a copy of this Resolution and the executed Rights-of-Way Use Agreement shall be filed in the Office of the Municipal Clerk.

#### **OPEN PUBLIC COMMENT – PRIVILEGE OF THE FLOOR**

Mayor Russano opened the floor to public comment.

Beth Pandy, Spring Hill Road, inquired about a foreclosure letter received regarding a property located at B13 L8.

Hearing no other members of the public speak up, Mayor Russano closed the floor to public comment.

### **CONSENT AGENDA**

A motion by Riggio, seconded by Syrnick to approve the following by consent agenda was unanimously approved by roll call vote.

*Riggio: Yes; Syrnick: Yes; Russano: Yes*

#### **MONTHLY REPORTS**

- Advanced Animal Control Incident Reports – None
- Budget Status Report – January – April 2023
- Court Report – March 2023
- Construction Report – April 2023
- Emergency Management Report – February 2023

- Fire Marshall Monthly Report – None
- New Jersey State Police Kingwood Barracks – None
- Township Engineer's Report –April 2023
- Tax Collector Report – April 2023
- Zoning Official Report – April 2023

## **RESOLUTIONS**

### **RESOLUTION NO. 2023 – 70**

#### **M&R Bid**

WHEREAS, Kingwood Township requested bids prepared by Kingwood Township Engineer, John Hansen, for municipal road maintenance and repair materials; and

WHEREAS, Kingwood Township Engineer, John Hansen, reported the bid results by memo dated April 28, 2023; and

WHEREAS, Kingwood Township Engineer, John Hansen, reviewed the bid results by memo dated April 28, 2023, found them to be in order, compared mileage distances to suppliers calculating the cost to Kingwood Township, and recommended that contracts be awarded in the amounts herein below set forth; and

WHEREAS, Kingwood Township General Foreman Michael Ewing reviewed the quantities and amounts bid for the road maintenance and repair materials and found them to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey:

1. The contracts for municipal road maintenance and repair materials (Unit Price Basis) for Kingwood Township are hereby awarded to the following:
  - HMA Mix I-4 or I-5 Surface Course (FOB) – 1600 Tons – **Stavola at \$136,000.00**
  - HMA Mix I-2 Base Course (FOB) – 900 Tons – **Stavola at \$73,800.00**
  - Superpave HMA 9.5M64 Surface Course (FOB) – 167 Tons - **Stavola at \$14,362.00**
  - Superpave HMA 25M64 Base Course (FOB) –Kingwood 100 Tons - **Stavola at \$8,200.00**
  - Superpave HMA 25M64 Base Course (FOB) – Delaware-101 Tons - **Stavola at \$8,383.00**
  - Emulsified Asphalt Grade CRS-2P (FDA) –Kingwood- 30,000 Gallons–**Garden State Asphalt at 128,400.00**
  - Emulsified Asphalt Grade CRS-2P (FDA) –Delaware- 35,000 Gallons – **Garden State Asphalt at \$149,800.00**
  - Emulsified Asphalt Grade CRS-2P (FDA) –Franklin- 10,000 Gallons–**Garden State Asphalt at \$42,800.00**
  - 1" Quarry Process/Road Blend (FOB) – 200 Tons – **Stavola at \$3,600.00**
  - 1" Quarry Process/Road Blend (FDS) –Kingwood- 200 Tons - **Stavola at \$5,250.00**
  - 1" Quarry Process/Road Blend (FDS) –Delaware- 1,000 Tons - **Stavola at \$26,250.00**

- 3/4" Clean Crushed Stone (FOB) –Kingwood- 225 Tons - **Stavola at \$4,500.00**
  - 3/4" Dense Graded Aggregate DGA (FDS)-Delaware – 448 Tons - **Stavola at \$11,760.00**
  - 3/4" Clean Crushed Stone (FDS) –Kingwood- 200 Tons - **Stavola at \$5,650.00**
  - 3/4" Clean Crushed Stone (FDS) –Delaware- 50 Tons - **Stavola at \$1,412.50**
  - 3/4" Clean Crushed Stone (FDS) –Franklin- 24 Tons - **Stavola at \$678.00**
  - 1.5" Clean Crushed Stone (FOB) –Kingwood- 100 Tons - **Stavola at \$2,200.00**
  - 1.5" Clean Crushed Stone (FDS) –Kingwood- 100 Tons - **Stavola at \$3,025.00**
  - 2.5" Clean Crushed Stone (FDS) –Kingwood- 100 Tons - **Stavola at \$3,025.00**
  - AASHTO #57 Stone (FDS)-Delaware-75 Tons- **Stavola at \$2,118.75**
  - Screenings (FOB) – 300 Tons - **Stavola at \$5,700.00**
  - Screenings (FDS) –Kingwood- 100 Tons - **Stavola at \$2,725.00**
  - Screenings (FDS) –Delaware- 100 Tons - **Stavola at \$2,725.00**
2. The Mayor of Kingwood Township is hereby directed to execute the contracts in the prescribed form for said maintenance work and materials.
  3. The Clerk of Kingwood Township is hereby directed to seal said contracts with the corporate seal of this body and to attest to the same.

#### **RESOLUTION NO. 2023 – 63**

##### **Surrendering Unclaimed Funds to The State Of New Jersey**

WHEREAS, Kingwood Township has determined that it has in its possession unclaimed funds; and

WHEREAS, Public Laws of 1989, Chapter 58; NJSA 46:30B-1 et seq requires the holder of unclaimed property to surrender it to the State of New Jersey.

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 surrender the following funds to the Treasurer of the State of New Jersey as unclaimed funds:

Dish Catering, 3023 Daniel Bray Highway, Frenchtown, NJ, 08825 - \$200.00  
BDA Highland Gourmet, 343 County Road 519, Frenchtown, NJ, 08825 - \$200.00  
KONA Ice, Frenchtown, NJ, 08825 - \$200.00  
Buck's County Kettle Corn, Bucks County, PA - \$75.00

#### **RESOLUTION NO. 2023 – 64**

##### **Dedication by Rider - Fees for Perc and Soils and Retail Food Licenses Due to Outside Agencies**

WHEREAS, N.J.S.A. 40A:4-39 provides for the anticipation and expenditures of certain items of dedicated revenues which are not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 also provides that such anticipation and expenditures of dedicated revenue is subject to the approval of the Director of the Division of Local Government Services; and

WHEREAS, it is the desire of the Township Committee of the Township of Kingwood to anticipate and expend certain dedicated revenues; and

WHEREAS, the Township Committee wishes to provide for the availability of the expenditure of said dedicated revenues in accordance with its wishes and desires as directed by the Township Committee and as approved by the director of the Division of Local Government Services, which Director may require such explanatory statements or data in connection therewith as he deems advisable for the information and protection of the public.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Division of Local Government Services in the Department of Community Affairs, be and is hereby requested to give his written consent to the insertion, under the dedication by rider in the budget for 2023 of the following:

FEES FOR PERC AND SOILS AND RETAIL FOOD LICENSES DUE TO OUTSIDE  
AGENCIES

BE IT FURTHER RESOLVED those two (2) certified copies of this Resolution be furnished to the said Director of the Division of Local Government Services.

**RESOLUTION NO. 2023 – 65**

**Dedication by Rider – Political Sign Bonds**

WHEREAS, N.J.S.A. 40A:4-39 provides for the anticipation and expenditures of certain items of dedicated revenues which are not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 also provides that such anticipation and expenditures of dedicated revenue is subject to the approval of the Director of the Division of Local Government Services; and

WHEREAS, it is the desire of the Township Committee of the Township of Kingwood to anticipate and expend certain dedicated revenues; and

WHEREAS, the Township Committee wishes to provide for the availability of the expenditure of said dedicated revenues in accordance with its wishes and desires as directed by the Township Committee and as approved by the director of the Division of Local Government Services, which Director may require such explanatory statements or data in connection therewith as he deems advisable for the information and protection of the public.

NOW, THEREFORE, BE IT RESOLVED, by the Kingwood Township Committee, State of New Jersey, County of Hunterdon, that the Director of the Division of Local Government Services in the Department of Community Affairs, be and is hereby requested to give his written consent to the insertion, under the dedication by rider in the budget for 2023 of the following:



**POLITICAL SIGN BONDS**

BE IT FURTHER RESOLVED, those two (2) certified copies of this Resolution be furnished to the said Director of the Division of Local Government Services.

**RESOLUTION NO. 2023 – 66****Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Kingwood in the County of Hunterdon New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$75,000.00, which is now available from the State of New Jersey, Department of Environmental Protection in the amount of \$75,000.00; and

BE IT FURTHER RESOLVED, that the like sum of \$75,000.00 is hereby appropriated under the caption Tier B Municipal Grant; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey, Department of Environmental Protection the amount of \$75,000.00, and

BE IT FURTHER RESOLVED, that the Chief Financial Officer shall receive a certified copy of this resolution after its adoption.

**CORRESPONDENCE**

- Memo from Planning Board regarding Ordinance 7-2023

**MINUTES**

- March 2, 2023 Regular and Executive Session
- April 6, 2023 Regular and Executive Session – Tabled Until 6/1/2023

**RETURN TO REGULAR MEETING AGENDA****ORDINANCES****Public Hearing on Ordinance No. 6 – 2023**

Mayor Russano read Ordinance No. 6 – 2023 by title.

A motion by Syrnick, seconded by Riggio to open public comment on Ordinance 6-2023 was unanimously approved by voice vote.

Hearing no members of the public speak up, a motion by Syrnick, seconded by Riggio to close public comment on Ordinance 6-2023 was unanimously approved by voice vote.

A motion by Riggio, seconded by Syrnick to adopt Ordinance 6-2023 was approved by roll call vote.  
*Riggio: Yes; Syrnick: Yes; Russano: Yes*

### **ORDINANCE NO. 6 – 2023**

#### **AN ORDINANCE BY THE TOWNSHIP OF KINGWOOD, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, PROVIDING FOR THE RESURFACING OF FEDERAL TWIST ROAD, APPROPRIATING \$440,000.00**

BE IT ORDAINED, by the Committee of the Township of Kingwood in the County of Hunterdon, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

##### **Section 1.**

The improvement described in Section 2 of this ordinance is hereby authorized to be undertaken by the Township of Kingwood, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of \$440,000.00. The funding for the ordinance is a through a receipt of a \$140,562.00 and \$172,118.00 grant from the State of New Jersey Department of Transportation and \$127,320.00 from the Capital Improvement Fund.

##### **Section 2.**

- (a) The improvement hereby authorized is the resurfacing of Federal Twist Road.
- (b) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

##### **Section 3.**

The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 2 of this ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 20 years.
- (c) An aggregate amount not exceeding \$80,000.00, for items of expense listed in and permitted under N.J.S.A 40A:2-20 is included in the estimated cost indicated herein for the purpose of improvement.

**Section 4.**

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 5.**

This ordinance shall take effect immediately after the first publication thereof after final adoption.

**Public Hearing on Ordinance 7 – 2023**

Mayor Russano read Ordinance 7 -2023 by title.

A motion by Syrnick, seconded by Riggio to open public comment on Ordinance 7-2023 was unanimously approved by voice vote.

Hearing no members of the public speak up, a motion by Syrnick, seconded by Riggio to close public comment on Ordinance 7-2023 was unanimously approved by voice vote.

A motion by Riggio, seconded by Syrnick to adopt Ordinance 7-2023 was approved by roll call vote.

*Riggio: Yes; Syrnick: Yes; Russano: Yes*

**ORDINANCE NO. 7 – 2023**

**AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF  
HUNTERDON, STATE OF NEW JERSEY AMENDING THE CODE OF THE  
TOWNSHIP OF KINGWOOD, CHAPTER 132, ZONING, ARTICLE I, GENERAL  
PROVISIONS, SECTION 132-4, DEFINITIONS, TO REFLECT A CHANGE TO  
THE DEFINITION OF LOT DEPTH AND PROVIDING FOR SEVERABILITY  
AND AN EFFECTIVE DATE**

**WHEREAS**, Chapter 132-4 of the Code of the Township of Kingwood defines “Lot Depth” in part as follows:” [t]he shortest horizontal distance between the front lot line and a line drawn *parallel* to the front lot line through the midpoint of the rear lot line.”

**WHEREAS**, the Planning Board of the Township of Kingwood has recommended that the definition of Lot Depth be revised as follows: “[t]he shortest horizontal distance between the front lot line and a line drawn *perpendicular* to the front lot line through the midpoint of the rear lot line.”

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Kingwood, that Chapter 132, Zoning, Article 1, General Provisions, Section 132-4, Definitions, shall be and hereby is amended as follows:

**Section 1.**

§ 132-4 “Definitions” is hereby amended as follows:

**LOT DEPTH**

The shortest horizontal distance between the front lot line and a line drawn ~~parallel~~ *perpendicular* to the front lot line through the midpoint of the rear lot line. For corner lots, lots fronting on a Class II common driveway, and lots abutting lands used or capable of use for a flag stem with fifty-foot frontage, lot depth shall be measured from each lot line fronting on a public street, on a Class II common driveway, and abutting lands used or capable of use for a flag stem with fifty-foot frontage.

## Section 2.

Renumbering. This ordinance may be renumbered for codification purposes to the extent necessary.

## Section 3.

Severability. If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

## Section 4.

Effective Date. This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

## Introduction to Ordinance No. 8 – 2023

Mayor Russano read Ordinance No. 8 – 2023 by title.

A motion by Syrnick, seconded by Riggio to introduce Ordinance No. 8 – 2023 and move forward with a public hearing set for June 1, 2023, was approved by roll call vote.

*Riggio: Yes; Syrnick: Yes; Russano: Yes*

## ORDINANCE NO. 8 – 2023

### **ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY CREATING CHAPTER 90 ENTITLED “LEAD-BASED PAINT INSPECTIONS” TO REQUIRE LEAD-BASED PAINT INSPECTIONS IN CERTAIN RESIDENTIAL DWELLINGS, AS MANDATED BY P.L. 2021, C. 182.**

**WHEREAS**, the State of New Jersey enacted P.L. 2021, c. 182, codified under N.J.S.A. 52:27D-437.1, et seq., establishing lead-based paint testing programs for certain residential rental properties; and

**WHEREAS**, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every single-family, and two-family, and multiple rental dwelling located within the municipality on a recurring basis and at tenant turnover for lead-based paint hazards; and

**WHEREAS**, the Township Committee of the Township of Kingwood determined it is in the best interests of Township residents to amend the Township Code at this time to require inspections for lead-based paint in certain residential rental dwellings to conform with State law.

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

## **SECTION I**

### **Chapter 90 – Lead-Based Paint Inspections.**

#### **§ 90-1. Definitions.**

**Dust Wipe Sampling** – A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

**Lead Abatement** – Measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the Commissioner of Community Affairs in compliance with standards promulgated by the appropriate federal agencies.

**Lead-Based Paint Hazard** – Any condition that causes exposure to lead from lead-contaminated dust or soil or lead-contaminated paint that is deteriorated or present in surfaces that would result in adverse human health effects.

**Lead Evaluation Contractor** – A person certified by the New Jersey Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:171.1 et seq.

**Tenant Turnover** – The time at which all existing occupants vacate a dwelling unit(s) and all new tenants move into the dwelling unit.

**Visual Assessment** – A visual examination for deteriorated paint or visible surface dust, debris, or residue.

#### **§ 90-2. Required Initial Inspection**

The owner, landlord, and/or agent of every single-family, two-family, and/or multiple dwelling unit(s) offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards within two (2) years of the effective date of the law, July 2, 2022, or upon tenant turnover, whichever is earlier.

#### **§ 90-3. Required Recurring Inspection.**

After the initial inspection required by § 90-2, the owner, landlord, and/or agent of such dwelling unit(s) offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three (3) years, or at tenant turnover, whichever is earlier, except that an inspection upon tenant turnover shall not be required if the owner, landlord, and/or agent has a valid lead-safe certification.

#### **§ 90-4. Option to Hire Lead Evaluation Contractor.**

The owner, landlord, and/or agent may directly hire a lead evaluation contractor who is certified to provide lead paint inspection services by the New Jersey Department of Community Affairs to satisfy the requirements of § 90-2 instead of the municipal inspection contemplated by § 90-2. In the event that a dwelling owner or landlord directly hires such a lead evaluation contractor, the term

“Township Code Enforcement Officer” shall also mean and include such lead evaluation contractor for purposes of this Chapter.

**§ 90-5. Consultation with the Local Board of Health.**

The Township Code Enforcement Officer or such lead evaluation contractor with the duty to inspect single-family, two-family, and multiple rental dwellings pursuant to this Chapter, may consult with the local health board, the State of New Jersey Department of Health, or the State of New Jersey Department of Community Affairs concerning the criteria for the inspection and identification of areas and conditions involving a high risk of lead poisoning in dwellings, methods of detection of lead in dwellings, and standards for the repair of dwellings containing lead paint.

**§ 90-6. Standards.**

Inspection for lead-based paint in rental dwelling units shall be governed by the standards set forth in N.J.S.A. 52:27D-437.1 et seq., and N.J.S.A. 55:13A-1 et seq., as may be amended from time to time.

**§ 90-7. Exceptions.**

A dwelling unit in a single family, two family, or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards, or for the fees for such inspection or evaluation, if the unit:

- a. has been certified to be free of lead-based paint;
- b. was constructed during or after 1978;
- c. is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least ten (10) years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law", N.J.S.A. 55:13A-1, et seq.;
- d. is a single-family or two-family seasonal rental dwelling which is rented for less than six (6) months-duration each year by tenants that do not have consecutive lease renewals; or
- e. has a valid lead-safe certification issued in accordance with N.J.S.A. 52:27D-437.16(d)(2).

**§ 90-8. Remediation.**

If lead-based paint hazards are identified, then the owner, landlord, and/or agent of the dwelling shall remediate the hazards through abatement or lead-based paint hazard control mechanisms in accordance with N.J.S.A. 52:27D-437.16(d). Upon the remediation of the lead-based paint hazard, the Township Code Enforcement Officer or his/her designee, as may be applicable, or the owner's private lead inspector, shall conduct an additional inspection of the unit(s) to certify that the hazard no longer exists.

**§ 90-9. Lead-Safe Certification.**

If no lead-based paint hazards are identified, then the Township Code Enforcement Officer or his/her designee, or the owner's private lead inspector shall certify the dwelling as lead safe on a

form prescribed by the Department of Community Affairs (DCA), which shall be valid for two (2) years and shall be filed with the Township's Code Enforcement Officer. The Township Code Enforcement Officer shall maintain up-to-date information on inspection schedules, inspection results, tenant turnover, and a record of all lead-free certifications issued pursuant to N.J.A.C. 5:17.

**§ 90-10. Owner, Landlord, and/or Agent Responsibility.**

In accordance with N.J.S.A. 52:27D-437.16(e), the owner, landlord, and/or agent shall:

- a. provide evidence of a valid lead-safe certification and the most recent tenant turnover to the Township of Kingwood at the time of the cyclical inspection carried out under the "Hotel and Multiple Dwelling Law," N.J.S.A. 55:13A-1, et seq., unless not required to have had an inspection by a lead evaluation contractor or permanent local agency pursuant to § 90-7 hereof;
- b. provide evidence of a valid lead-safe certification to new tenants of the property at the time of tenant turnover, unless not required to have had an inspection by a lead evaluation contractor or permanent local agency pursuant to § 90-7 hereof, and shall affix a copy of such certification as an exhibit to the tenant's or tenants' lease; and
- c. maintain a record of the lead-safe certification which shall include the name or names of the unit's tenant or tenants if the inspection was conducted during a period of tenancy, unless not required to have had an inspection by a lead evaluation contractor or permanent local agency pursuant to § 90-7 hereof.

**§ 90-11. Notification to the Commissioner of Community Affairs.**

If the Township Code Enforcement Officer finds that a lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to this Chapter, then the Code Enforcement Officer shall notify the Commissioner of Community Affairs, who shall review the findings in accordance with the "Lead Hazard Control Assistance Act," N.J.S.A. 52:276D-437.8.

**§ 90-12. Inspections as a Result of Testing of Children of Six Years of Age or Younger.**

- a. If less than three percent (3%) of children tested in the Township, six (6) years of age or younger, have a blood lead level greater than or equal to five (5) ug/dL, according to the central lead screening database maintained by the State of New Jersey Department of Health pursuant to N.J.S.A. 26:2-137.6, or according to other data deemed appropriate by the commissioner (as such term is used in and for the purposes of N.J.S.A. 52:27D-437.16), then the Township Code Enforcement Officer may inspect a dwelling located therein for lead-based paint hazards through visual assessment.
- b. If at least three percent (3%) of children tested, six (6) years of age or younger, have a blood lead level greater than or equal to five (5) ug/dL, according to the central lead screening database maintained by the State of new Jersey Department of Health pursuant to section 5 of P.L.1995, c.328 (N.J.S.A. 26:2-137.6), or according to other data deemed appropriate by the commissioner, then the Township Code Enforcement Officer shall inspect a dwelling located therein through dust wipe sampling.

- c. If a lead hazard is identified in an inspection of one of the dwelling units in a building consisting of two- or three- dwelling units, then the Township Code Enforcement Officer shall inspect the remainder of the building's dwelling units for lead hazards, with the exception of dwelling units that have been certified to be free of lead-based paint. The Township Code Enforcement Officer may charge fees in accordance with this Chapter for such additional inspections.

#### **§ 90-13. Fees.**

- a. Notwithstanding any other fees due pursuant to this Chapter, a fee in the amount of two hundred and fifty dollars (\$250.00) shall be paid for the initial lead-based paint inspection performed by the Township of Kingwood. If, after the initial inspection, a lead-based paint hazard is found, and a subsequent inspection is required to confirm that such hazard has been remediated, the fee of three hundred and fifty dollars (\$350.00) shall be assessed for any such subsequent inspection(s).
- b. Said fees shall be dedicated to meeting the costs of implementing and enforcing this subsection and shall not be used for any other purpose. Alternatively, a dwelling unit owner, landlord, and/or agent may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to satisfy the requirements of this Chapter, in which case no additional Lead-Based Paint inspection fee shall be paid.
- c. In addition to the fees permitted to be charged for inspection of rental housing pursuant to this Chapter, the Municipality shall assess an additional fee of twenty dollars (\$20.00) per unit inspected by a certified lead evaluation contractor or permanent local agency for the purposes of the "Lead Hazard Control Assistance Act," P.L.2003, c.311 (N.J.S.A. 52:27D-437.1 et al.) concerning lead hazard control work, unless the unit owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of twenty dollars (\$20.00) pursuant to the provisions of section 10 of P.L.2003, c.311 (N.J.S.A. 52:27D-437.10).
- d. In a common interest community, any inspection fee charged pursuant to this subsection shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit. The fees collected pursuant to this subsection shall be deposited into the "Lead Hazard Control Assistance Fund" established pursuant to section 4 of P.L.2003, c.311 (N.J.S.A.52:27D-437.4).

#### **§ 90-14. Violations and Penalties.**

In accordance with N.J.S.A. 52:27D-437.19, the penalties for a violation of this Chapter shall be as follows:

- a. If a property owner has failed to conduct the required inspection or initiate any remediation efforts, the owner shall be given thirty (30) days to cure the violation.
- b. If the property owner has not cured the violation after thirty (30) days, the property owner shall be subject to a penalty not to exceed one thousand dollars (\$1,000.00) per week until the required inspection has been conducted or remediation efforts have been initiated.



**SECTION II**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION III**

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, inconsistent with the Code of the Township of Kingwood, or is held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**SECTION IV**

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

**Introduction to Ordinance No. 9 – 2023**

Mayor Russano read Ordinance No. 9 – 2023 by title.

A motion by Syrnick, seconded by Riggio to introduce Ordinance No. 9 – 2023 and move forward with a public hearing set for June 1, 2023, was approved by roll call vote.

*Riggio: Yes; Syrnick: Yes; Russano: Yes*

**ORDINANCE NO. 9 - 2023**

**AN ORDINANCE AMENDING ORDINANCE NO. 22-09-2022 TO PROVIDE AN ORDINANCE TO PROVIDE FOR THE REPAIR OF THE ROADS AND SWALES DAMAGED IN HURRICANE IDA AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AND APPROPRIATING \$190,000.00 FROM A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF \$158,473.80 AND \$31,526.20 FROM THE CAPITAL IMPROVEMENT FUND**

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

**SECTION 1.** The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by the Township of Kingwood, New Jersey. For the said improvement or purposes described in Section 2, there is hereby appropriated the sum of \$190,000.00, said sum being inclusive of all appropriations heretofore made therefore.

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

**SECTION 3.** In order to finance the cost of the improvements or purpose there is hereby appropriated \$158,473.80 from a grant from the Federal Emergency Management Agency and \$31,526.20 from the Capital Improvement Fund.

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

**SECTION 5.** The capital budget of the Township of Kingwood is hereby adopted to conform with the provisions of this ordinance. The project has been included in the 2023 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.

**Introduction to Ordinance No. 10 – 2023**

Mayor Russano read Ordinance No. 10 – 2023 by title.

A motion by Syrnick, seconded by Riggio to introduce Ordinance No. 10 – 2023 and move forward with a public hearing set for June 1, 2023, was approved by roll call vote.

*Riggio: Yes; Syrnick: Yes; Russano: Yes*

**ORDINANCE NO. 10 - 2023**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 4, FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FOR YEAR 2023**

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

ARTICLE 1. The salaries or compensation rates of the positions listed below, which were previously fixed in Township Ordinance Number 4, are hereby amended and fixed and determined as follows:

**2023**

**Municipal Court**

Judge	\$15,083.00
Court Administrator/Violations Clerk	\$ 40,283.00
Public Defender	\$ 4,131.00
Municipal Court Clerical Assistant	\$ 125.00
Municipal Court Security Officer	\$ 36.68

**Miscellaneous**

Affordable Housing Secretary	\$1,600.00
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**NEW BUSINESS**

- **Township Committee Liaison Reports:**

- Deputy Mayor Syrnick reported that the bucket truck rental was a success with DPW removing over 700 trees on Township owned land. Deputy Mayor Syrnick noted that DPW would continue to clear debris and ranches.
- Committeeman Riggio stated that Parks and Recreation had the mulch replaced at the playground at Kingwood Park.

Committeeman Riggio noted that the Board of Education voted against a School Resource Officer after the analysis was completed and reviewed.

Committeeman Riggio noted that the school budget was kept within the 2% cap and shared expenses with Milford to keep costs low.

Committeeman Riggio inquired about DPW doing snow removal for KTS as the district would rather pay the KT DPW. Deputy Mayor Syrnick noted that in the past this was a burden on the DPW as they have over 180 miles of roads to maintain within the Township and would need to switch out their plows to be able to accommodate the school, aside from manpower concerns.

Committeeman Riggio reported that the water at the school was turned off due to having a high count of plastics and that remediation would be addressed in June and fixed for the 2023-2024 school year.

Committeeman Riggio stated that Parks and Recreation was considering an auction at community day to help local children go on school trips.

Committeeman Riggio noted that there are safety issues that were reported about the Dog Park at Horseshoe Bend Park. Committeeman Riggio stated the Dog Park would be closed over the weekend for repairs and suggested more signage be placed for rules of use.

Committeeman Riggio noted that Parks and Recreation volunteers are slated to remove the carpet from the Union Road House on May 20th. Deputy Mayor Syrnick stated that the Township should first decide if a tenant is wanted and then move forward with professionals to assess and repair as needed. Committeeman Riggio noted that past CO Tom Petto reviewed the house and deemed it condemned, and noted that Mike Ewing and Dave Hewitt have looked at it as well but have not made an official report on the house. Committeeman Riggio inquired if the house could be considered for COAH. Deputy Mayor Syrnick noted it could not and that the only other option is to tear it down and build a community center on the footprint of the house.

Committee Riggio reported that Parks and Recreation agreed that there is to be no politicking at any Township events.

Committeeman Riggio reported there is an ordinance for Alexandria Township which affects special events. Deputy Mayor Syrnick noted this was reported to the Planning Board and being discussed and would be forwarded to the Open Space Committee.

Committeeman Riggio noted that there is a high tick count in Hunterdon County, specifically of the Lone Star Tick which causes an allergy to meat proteins.

Committeeman Riggio inquired about a document that was presented to Congressman Kean regarding the Rockfall Mitigation be placed on the Township Website. Deputy Mayor Syrnick noted a new page should be added for the Rockfall Mitigation Subcommittee.

- Mayor Russano noted the Agricultural Advisory was working on the ROSI, special events, and County Farm Plan. Mayor Russano noted that 14,500 acres have been preserved since 2008.

Mayor Russano stated that JCP&L had forestry representative on Warford Road to assess the ongoing power outages.

Mayor Russano noted the Housing Board in looking into affordable housing with a possible 10 units next to the Our Lady of Victories' church and are in ongoing talks with Galleria Construction.

Mayor Russano stated he is inquiring into additional grant funding for the DOT, Resilient Communities, and USDA Rural Development.

- **Acknowledged Award of Stormwater Assistance Grant:** Stormwater Grant - Mayor Russano noted the Township was awarded \$75,000 Total with \$25,000 to be given on May 12th and the remaining \$50,000 at a later date.
- **Acknowledge of Resignation of Two Members from Parks and Recreation Committee:** A motion by Syrnick, seconded by Riggio, acknowledging resignation of Cindy N. and Jack N. as regular members of the Parks and Recreation Committee was unanimously approved by voice vote. The Committee thanked Cindy and Jack for their many years of service and volunteering.
- **Appointment of Two Regular Members for the Parks and Recreation Committee:** A motion by Riggio, seconded by Syrnick to appointment Chuck K. and Tiina S. as regular members of the Parks and Recreation Committee was unanimously approved by voice vote.
- **Appointment of Alternate #2 Member for the Board of Adjustment:** Deputy Mayor Syrnick motioned to appoint Stuart as the Alternate #2 for the Board of Adjustment. There was no second. Committeeman Riggio wanted to inquire with the Board of Adjustment Chair prior to the appointment. The appointment was tabled to a future date.
- **Discussion/ Approval to Sponsor Kingwood Township School “Outstanding Achievement in Social Studies” Award:** Deputy Mayor Syrnick advised that this is something the Committee members do every year and pay for the funding personally. A motion by Riggio, seconded by Syrnick to agree to sponsor the “Outstanding Achievement in Social Studies” award personally was unanimously approved by roll call vote.

*Riggio: Yes; Syrnick: Yes; Russano: Yes*

- **Discussion on Memorial Day Ceremony:** Mayor Russano noted the Memorial Day event is to thank Veterans and have the Committee place flags in the three cemeteries in Kingwood. Deputy Mayor Syrnick stated she reserved Kingwood Park for May 20<sup>th</sup> for a reception afterwards offering light food and refreshments for the Veterans. The Committee agreed to a start time of 11:30am at the Kingwood Township School with the reception following.
- **Discussion/ Approval of Summer Hours for Town Hall:** Acting Clerk Crivelli asked the Committee to consider summer hours stating that Hunterdon County Clerk's Office as well as others are doing so. Acting Clerk Crivelli stated that there is a large reduction in phone calls, emails, and residents coming in on Fridays during the summer months and that the public would benefit more from having staff in earlier in the morning as well as extended in the afternoon. Committeeman Riggio suggested a one-month trial to see what feedback there is from residents.

A motion by Riggio, seconded by Syrnick for summer hours to have a trial period with a date set to start the week of June 5<sup>th</sup> through July 7<sup>th</sup> with a potential to extend until Labor Day, was unanimously approved by voice vote.

- **Discussion / Approval of Chang in Thursday Construction Hours:** Acting Clerk Crivelli noted that the Construction Official would start his Thursdays at 3:30pm and work until 6:00pm, which was over the required hours per his contract. Acting Clerk Crivelli also noted that the Construction Official stated there was little to no walk-in's after 5:00pm. Acting Clerk Crivelli suggested the Committee consider a change in office hours for the Construction Official on Thursdays since there is no other way to compensate him for his time due to the Shared Service Agreement.

A motion by Syrnick, seconded by Riggio to have the new hours for the Construction Official on Thursdays be 3:30pm – 5:30pm effective immediately that was unanimously approved by voice vote.

- **Approval for Clerk to send letter to Tax Collector regarding amount for Resolution #2023-56:** Tax Collector Laudenbach asked the Committee to have Acting Clerk Crivelli send an email regarding the amount to be considered regarding Resolution #2023-56. The Committee agreed to a set amount and advised Acting Clerk Crivelli to forward that to Tax Collector Laudenbach.
- **Discussion /Approval of Transfer of Funds for a Trailer for Parks and Recreation:** The Committee removed this item from the open agenda to be discussed in Executive Session.
- **Discussion / Approval of Park Fees:** A motion by Riggio, seconded by Syrnick to approve Resolution 2023 – 67 was unanimously approved by roll call vote.  
*Riggio: Yes; Syrnick: Yes; Russano: Yes*

- **Discussion / Approval Hunting License:** A motion by Riggio, seconded by Syrnick to approve Resolution 2023 – 68 was unanimously approved by roll call vote.  
*Riggio: Yes; Syrnick: Yes; Russano: Yes*

### **OLD BUSINESS**

None

### **BILLS AND CLAIMS**

A motion by Syrnick, seconded by Riggio to approve the bill list in the amount of \$809,743.40 was unanimously approved by roll call vote.

*Riggio: Yes; Syrnick: Yes; Russano: Yes*

### **EXECUTIVE SESSION**

A motion by Riggio, seconded by Syrnick to approve resolution #2023-69 was unanimously approved by voice vote.

## **RESOLUTION NO. 2023 – 69**

### **TO ENTER INTO EXECUTIVE SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this governing body is of the opinion that such circumstances presently exist,

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
  - a. Any matter falling within the attorney-client privilege
  - b. Contractual Agreements

The discussion is anticipated to take approximately 30 minutes. Action may be taken.

3. It is intended at this time that the above stated subject matter will be made public when the matter has been resolved.
4. This resolution shall take effect immediately.

A motion by Riggio, seconded by Syrnick to exit Executive Session was unanimously approved by voice vote.

The committee was in Executive Session from 9:26 PM – 11:03 PM.

**ADJOURNMENT**

A motion was made by Syrnick and seconded by Riggio to adjourn the meeting.

The meeting adjourned at 11:04 PM.

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Tiffany Crivelli, Acting Township Clerk

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Andrew Russano, Jr., Mayor

Approved: 7/6/2023