



## **KINGWOOD TOWNSHIP COMMITTEE**

### **REGULAR MEETING MINUTES**

### **DECEMBER 7, 2023 – 7:00 P.M.**

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Mayor Andrew Russano, Jr., called the regular meeting of the Kingwood Township Committee to order on December 7, 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**

Mayor Russano introduced Ms. Linda Leidner as the new part time Township Clerk and welcomed her to Kingwood Township.

Present: Mayor Andrew Russano, Jr., Deputy Mayor Maureen Syrnick, Committeeman Lance Riggio, Township Clerk Linda Leidner and Township Attorney James Moscagiuri.

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

Mayor Russano read aloud a statement regarding any comments made by the public, he noted the comments are appreciated and considered by the committee members of Kingwood Township as part of their deliberations.

Mayor Russano briefly reviewed the various responsibilities Ms. Syrnick has performed while serving as Committeewoman, Deputy Mayor and Mayor over the past few years. He expressed the Township Committee's appreciation to Ms. Syrnick for her efforts on behalf of the community.

Beth Pandey, Spring Hill Road – Ms. Pandey was present regarding a small piece of land she and her family own, known as Block 13 Lot 8, that the Township has in the tax records as "unknown" in regard to the owner. Ms. Pandey has attended several previous meetings, and has met with the tax assessor and tax collector on various occasions in their offices to try and correct the error. In answer to her questions about paying the tax bill she received, which still does not reflect the Pandey name on it, she was advised by Ms. Syrnick to include a note and submit payment to the tax collector, while Mayor Russano commented he will follow up on what the correct procedure would be and let her know what to do. It was agreed by the committee members that no penalties will be applied to this tax payment.

Mary MacConnell, Spring Hill Road – Ms. MacConnell asked the committee members to please consider instructing the clerk and deputy clerk to provide any meeting materials and information to the new

committeeman who will be sworn in for the year 2024 from this point forward, if this has not been done yet.

### **SERVICE ELECTRIC CABLE TV FRANCHISE RENEWAL PRESENTATION AND PUBLIC COMMENTS**

Mayor Russano introduced Jeff Kelly, Mike Starrer and Attorney Martin Rothfelder representing the above, and opened the public comments.

Attorney Rothfelder briefly noted the process for franchise renewal in New Jersey, which requires approval by the municipality first, and then submission to the NJBPU's Office of Cable Television for final approval, with the particulars of the renewal being memorialized by Township ordinance.

Mr. Jeff Kelly, Director of Engineering for Service Electric in Hunterdon then went through a slide presentation, beginning with the establishment of the company in 1948. He noted Service Electric is a third generation company celebrating 75 years. The company has approximately 500 full and part time employees in New Jersey and Pennsylvania. Mr. Kelly and Mr. Starrer responded to a variety of comments and questions throughout the slide presentation, from Mayor Russano, Ms. Syrnick, Mr. Riggio, and from residents present at the meeting, Mr. Paymon Jelvani and Mr. Richard Dodds. The public comments were then closed.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to approve Service Electric Cable TV of Hunterdon County, Inc.'s Application For Renewal Of Municipal Consent To Operate And/Or Construct A Cable Television System In Kingwood Township, with the intention that this will be a non-exclusive, fifteen year approval. Township Attorney J. Moscagiuiri will work with Attorney Rothfelder to submit the Application in to the Office of Cable Television and then to work on the Township's current cable Ordinance to reflect the amendments and to schedule the introduction, publication, public hearing and final adoption of the Ordinance.

**ROLL CALL VOTE:**        **AYE - Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN - None**  
                                 **ABSENT – None**

**Mayor Russano welcomed Committeeman Elect Paymon Jelvani to the meeting.**

### **FIRST RESPONDER REPORTS**

- **Kingwood Township Fire Inspector** – Fire Marshal Dennis Concannon reported on the number of inspections for the month of November, which included non-life hazard use, life hazard use, residential and reinspections and violations found, and submitted his written report to the Township Clerk.
- **Kingwood Township OEM** – OEM Coordinator D. Frank Floyd reported the committee members still have a decision to make regarding the damages to the bridge/culvert on Horseshoe Bend Road, as a result of Hurricane Ida. FEMA would like to know which way the Township would like to go with this project, by tomorrow. FEMA is denying replacement of the bridge/culvert and recommends the Township proceed with repair. There are basically three options to consider:

FEMA will reconsider replacement if the Township engages with the County Engineer to confirm the findings in the report of the Township Engineer and if the Township obtains confirmation from the State Department of Transportation of the codes and standards cited in the report of the Township Engineer. There is no guarantee that FEMA will approve replacement. (\$562,365.00)

For repair the Township will receive 80% of the funding from FEMA up front, with the remainder being held until completion. (170,076.00)

The Township may apply for up to another \$170,076.00 from FEMA for mitigation.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to accept grant funding from FEMA for repair - \$170,076 and to apply for grant funding for mitigation - \$170,076.00 in regard to the bridge/culvert on Horseshoe Bend Road due to Hurricane Ida.

**ROLL CALL VOTE:**        **AYE - Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN - None**  
                                 **ABSENT – None**

Coordinator Floyd then finished up his report with updates on the cold weather kits for the generators and the AED pads and batteries.

## **CONSENT AGENDA**

The following items have been placed on this agenda by consent and require no discussion, the same having been previously reviewed in their entirety by each Township Committee Member, with the exception of Resolution No. 2023-143 and Resolution No. 2023-145 which Mayor Russano requested be removed and the Resolution Nos. 2023-147 through 2023-153 which Ms. Syrnick requested be removed for further discussion.

### **MONTHLY REPORTS**

- Advanced Animal Control Incident Reports
- Budget Status Report
- Court Report
- Construction Report
- Emergency Management Report
- Fire Marshall Monthly Report
- New Jersey State Police Kingwood Barracks
- Township Engineer Report
- Tax Collector Report
- Zoning Officer Report

### **RESOLUTIONS**

**Resolution No. 2023-136 – Requesting Approval of Items of Revenue and Appropriation**

**RESOLUTION NO. 2023 – 136**  
**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION**  
**NJS 40AA:4-87**

**WHEREAS**, NJS 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 \$10,000.00, which is now available from the State of New Jersey, Department of Law and Public Safety, Emergency Management Performance Grant in the amount of \$10,000.00; and

**BE IT FURTHER RESOLVED** that the like sum of \$10,000.00 is hereby appropriated under the caption Emergency Management Performance Grant; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from the State of New Jersey, Department of Law and Public Safety in the amount of \$10,000.00; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer shall receive a certified copy of the Resolution.

**Resolution No. 2023-137 – Requesting Refund of Campaign Sign Deposit**

**RESOLUTION NO. 2023 – 137**  
**REIMBURSEMENT FOR CAMPAIGN SIGN DEPOSIT**  
**MANDI VALACHOVIC**

**WHEREAS**, the campaign for Mandi Valachovic 2024 bid for Kingwood Township Board of Education submitted a \$100.00 deposit to the Kingwood Township Zoning official as a guarantee of the removal of campaign signs within ten days after the general election on November 7, 2023; and

**WHEREAS**, all campaign signs for Mandi Valachovic Board of Education, have been removed from within the Township.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to authorize the Chief Financial Officer of the Township of Kingwood to return the amount of \$100.00 campaign sign removal security deposit to Mandi Valachovic for KTS BOE, 48 Hampton Road, Pittstown, NJ 08867

**Resolution No. 2023-138 – Requesting Refund of Campaign Sign Deposit**

**RESOLUTION NO. 2023 –138  
REIMBURSEMENT FOR CAMPAIGN SIGN DEPOSIT  
TANYA DRAKE**

**WHEREAS**, the campaign for Tanya Drake, DVR Board of Education 2024 bid for Del Val Regional Board of Education submitted a \$100.00 deposit to the Kingwood Township Zoning official as a guarantee of the removal of campaign signs within ten days after the general election on November 7, 2023; and

**WHEREAS**, all campaign signs for Tanya Drake Board of Education, have been removed from within the Township.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to authorize the Chief Financial Officer of the Township of Kingwood to return the amount of \$100.00 campaign sign removal security deposit to Tanya Drake for DVR BOE, 48 Hampton Road, Pittstown, NJ 08867

**Resolution No. 2023-139 – Requesting Refund of Campaign Sign Deposit**

**RESOLUTION NO. 2023 –139  
REIMBURSEMENT FOR CAMPAIGN SIGN DEPOSIT  
MAUREEN SYRNICK**

**WHEREAS**, the campaign for Maureen Syrnick, Township Committee submitted a \$100.00 deposit to the Kingwood Township Zoning official as a guarantee of the removal of campaign signs within ten days after the general election on November 7, 2023; and

**WHEREAS**, all signs for campaign for Maureen Syrnick Township Committee have been removed from within the Township.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to authorize the Chief Financial Officer of the Township of Kingwood to return the amount of \$100.00 campaign sign removal security deposit to Maureen Syrnick, 31 Stompf Tavern Road, Stockton, NJ 08859.

**Resolution No. 2023-140 – Waive Tax Interest Block 13 Lot 8Q**

**RESOLUTION NO. 2023 – 140  
WAIVE TAX INTEREST**

**WHEREAS**, due to an error in the 2023 conversion of the tax data for Block 13, Lot 8 Q0110, there was no bill generated for the property for the third and fourth quarters of 2023; and

**WHEREAS**, the error has been discovered and been corrected.

**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 Tax Collector be authorized to waive the interest on the delinquent amounts for the third and fourth quarters of 2023, which totals \$.31 cents.

**Resolution No. 2023-142 – Tax Sale Redemption Block 5 Lot 2.01**

**RESOLUTION NO. 2023 -142  
TAX SALE REDEMPTION**

**WHEREAS**, the Tax Collector has received redemption monies in the amount of \$25,691.11 to redeem Tax Sale Certificate No. 21-00001 on Block 5, Lot 2.01; and

**WHEREAS**, at the time of the sale, the lienholder paid a premium of \$20,000.00.

**NOW, THEREFORE, 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 issue a check in the amount of \$45,691.11 to RTLS Holding Corporation, 217 Ryers Avenue, Cheltenham, PA, 19012 as redemption for Tax Sale Certificate No. 21-00001; and

**BE IT FURTHER RESOLVED** that the Tax Collector shall receive a certified copy of this resolution.

**Resolution No. 2023-144 – 2023 Budget Appropriation Transfers**

**RESOLUTION NO. 2023 - 144  
2023 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 2023 Budget Appropriations:

<b>FROM ACCOUNT</b>	<b>TO ACCOUNT</b>	<b>AMOUNT</b>
Recreation – Other Expense 3-01-28-370-299	Tax Collection – Other Expense 3-01-20-145-299	\$ 3,000.00
Parks & Playgrounds – Other Expense 3-01-28-375-299	Tax Collection – Other Expense 3-01-20-145-299	\$ 1,000.00

**Resolution No. 2023-146 – Refund Unspent Escrow Monies Block 6 Lot 20**

**RESOLUTION NO. 2023 – 146  
REFUND OF UNSPENT ESCROW MONIES**

**WHEREAS**, an application was filed with the Planning Board for Block 6, Lot 20; and

**WHEREAS**, the Township has received the final sign off from the Township Engineer that the project has been completed and the funds can be refunded to the applicant.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Kingwood, County of Hunterdon, and State of New Jersey, that the Chief Financial Officer be authorized

to issue a refund of the unspent escrow monies for Block 6, Lot 20 to Workman Associates, 1648 Chestnut Ridge Road, Upper Black Eddy, PA, 18972 in the amount of \$17, 715.51.

### **CORRESPONDENCE**

Mayor Russano read aloud a Resignation Notice from Diane Laudenbach, Certified Municipal Financial Officer, Certified Tax Collector, Qualified Purchasing Agent, Planning Board Secretary, Board of Health Secretary. Mayor Russano commented that he is truly grateful to have the honor to have known and worked with Diane, and he expressed the appreciation of the committee members for her dedication in taking care of the residents for thirty four years. Mayor Russano wishes her well in her retirement.

At the request of Ms. Laudenbach, the following motion was made:

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to accept and recognize the retirement date of Ms. Diane Laudenbach as of November 30, 2023. **All voted Aye on Roll Call Vote.**

Mayor Russano read aloud a JCP&L Notice and Schedule of Tree Trimming locations in Kingwood, beginning January 15, 2024.

Mayor Russano reviewed a NJDEP Approval of Stormwater Assistance Grant Deliverables letter, that confirms the NJDEP approval of the Township's submission and the award of grant monies of \$75,000, which will assist the Township in fulfilling a state mandate issued in January, that will essentially move the Township to a different Tier in the Stormwater Management Program.

Mayor Russano read each of the Resolutions aloud by number and title.

### **MINUTES**

November 2, 2023 Executive Session Minutes  
November 2, 2023 Regular Minutes – Tabled  
November 6, 2023 Special Meeting Minutes  
November 6, 2023 Special Meeting Executive Session Minutes  
November 20, 2023 Special Meeting Minutes  
November 20, 2023 Special Meeting Executive Session Minutes  
November 27, 2023 Special Meeting Minutes – Tabled  
November 27, 2023 Special Meeting Executive Minutes – Tabled  
October 5, 2023 Regular Minutes  
September 7, 2023 Regular Meeting Minutes  
September 15, 2023 Special and Executive Session – Tabled

### **MOTION AND APPROVAL FOR CONSENT AGENDA**

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to approve the foregoing Consent Agenda of December 7, 2023 with the previously noted exceptions.

**ROLL CALL VOTE:**      **AYE - Riggio, Syrnick, Russano**  
                                 **NAY – None**

**ABSTAIN - None**

**ABSENT – None**

**RETURN TO REGULAR MEETING AGENDA**

**RESOLUTIONS**

Resolution No. 2023-143 was removed from the Consent Agenda as it was a duplicate, already listed under a different number, and Resolution No. 2023-145 was removed and will be adopted at the Reorganization Meeting in January 2024.

Ms. Syrnick noted she had requested the removal of Resolutions 2023-147 through 2023-153 so they could be discussed more openly, as they involved the employment of many new people. She noted the members of the public at the meeting may like to know the office hours, salary, etc. of the new employees, and Ms. Syrnick asked questions of the resolutions that were now introduced.

**Resolution No. 2023-147 – Hiring of Certified Tax Collector**

**RESOLUTION NO. 2023-147**

**RESOLUTION OF THE TOWNSHIP OF KINGWOOD, COUNTY OF  
HUNTERDON, STATE OF NEW JERSEY, APPOINTING RACHEL LEBER AS PART-TIME TAX COLLECTOR**

**WHEREAS**, the Township currently has a vacancy in the position of Tax Collector; and

**WHEREAS**, the Township has a need to appoint a new Tax Collector to ensure the continued successful administration of Township business; and

**WHEREAS**, Rachel Leber has and currently is serving as Tax collector in other New Jersey municipalities, and has ably demonstrated to the Township Committee that she is properly credentialed and highly qualified to serve in said position for the Township; and

**WHEREAS**, the governing body of the Township believes that Rachel Leber is the most qualified candidate and most deserving to be appointed as part-time Tax Collector for the Township; and

**WHEREAS**, Rachel Leber has decided to accept the appointment as part-time Tax Collector, effective December 4, 2023; and

**WHEREAS**, Rachel Leber's compensation shall be \$35,000, per annum, with no fringe benefits; and

**WHEREAS**, this appointment is authorized pursuant to N.J.S.A. 40A:9-141 et seq.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, that Rachel Leber shall be and hereby is appointed as the Township's part-time Tax Collector for a four-year term.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt the foregoing Resolution to appoint Part Time Tax Collector.



**ROLL CALL VOTE:**        **AYE - Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN - None**  
                                 **ABSENT – None**

**Resolution No. 2023-148 – Hiring of Full Time Deputy Clerk**

**RESOLUTION NO. 2023-148**  
**RESOLUTION OF THE TOWNSHIP OF KINGWOOD, COUNTY OF**  
**HUNTERDON, STATE OF NEW JERSEY, APPOINTING PAULA DELIA AS FULL-TIME DEPUTY CLERK**

**WHEREAS**, the Township has a vacancy in the position of Deputy Clerk; and

**WHEREAS**, the Township has a need to appoint a new Deputy Clerk to ensure the continued successful administration of Township business; and

**WHEREAS**, Paula Delia has demonstrated that she is qualified and able to perform the services of Deputy Clerk; and

**WHEREAS**, the governing body of the Township believes that Paula Delia is the most qualified candidate and most deserving to be appointed as Deputy Clerk for the Township; and

**WHEREAS**, Paula Delia has decided to accept the appointment as full-time Deputy Clerk, effective December 22, 2023; and

**WHEREAS**, Paula Delia’s compensation shall be \$59,000, per annum, in connection with her appointment as Deputy Clerk; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, that Paula Delia shall be and hereby is appointed as full-time Deputy Clerk for a one-year term.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt the foregoing Resolution to appoint Full Time Deputy Clerk.

**ROLL CALL VOTE:**        **AYE - Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN - None**  
                                 **ABSENT – None**

**Resolution No. 2023-149 – Hiring of Part Time Clerk**

**RESOLUTION NO. 2023-149**  
**RESOLUTION OF THE TOWNSHIP OF KINGWOOD, COUNTY OF**  
**HUNTERDON, STATE OF NEW JERSEY, APPOINTING LINDA**  
**LEIDNER AS PART-TIME MUNICIPAL CLERK**

**WHEREAS**, the Township currently has a vacancy in the position of Municipal Clerk; and

**WHEREAS**, the Township has a need to appoint a new Municipal Clerk to ensure the continued successful administration of Township business; and

**WHEREAS**, Linda Leidner has long served as a Registered Municipal Clerk in other New Jersey municipalities, and has ably demonstrated to the Township Committee that she is properly credentialed and highly qualified to serve in said position for the Township; and

**WHEREAS**, the governing body of the Township believes that Linda Leidner is the most qualified candidate and most deserving to be appointed as Municipal Clerk for the Township; and

**WHEREAS**, Linda Leidner has decided to accept the appointment as part-time Municipal Clerk, effective December 4, 2023; and

**WHEREAS**, Linda Leidner's compensation shall be \$40,000.00, per annum, with no fringe benefits; and

**WHEREAS**, this appointment is authorized pursuant to N.J.S.A. 40A:9-33.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, that Linda Leidner shall be and hereby is appointed as the Township's part-time Municipal Clerk for a three-year term.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt the foregoing Resolution to appoint a Part Time Municipal Clerk.

**ROLL CALL VOTE:**        **AYE - Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN - None**  
                                 **ABSENT – None**

**Resolution No. 2023-150 – Hiring of Part Time Parks Administrator and Parks and Recreation Secretary**

**RESOLUTION NO. 2023-150**  
**RESOLUTION OF THE TOWNSHIP OF KINGWOOD, COUNTY OF**  
**HUNTERDON, STATE OF NEW JERSEY, MEMORIALIZING THE HIRING OF TOMASINA MCGUIRE AS PART-**  
**TIME MUNICIPAL PARKS ADMINISTRATOR AND PARKS AND RECREATION SECRETARY**

**WHEREAS**, the Township has a vacancy in the positions of Municipal Parks Administrator and Parks and Recreation Secretary; and

**WHEREAS**, the Township has a need to hire a new Municipal Parks Administrator and Parks and Recreation Secretary; and

**WHEREAS**, Tomasina McGuire has demonstrated that she is qualified and able to perform the services of the aforementioned positions; and

**WHEREAS**, the governing body of the Township believes that Tomasina McGuire is the most qualified candidate and most deserving to be hired as Municipal Parks Administrator and Parks and Recreation Secretary for the Township; and

**WHEREAS**, Tomasina McGuire has decided to accept the offer of employment as part-time Municipal Parks Administrator and part-time Parks and Recreation Secretary, effective December 4, 2023; and

**WHEREAS**, Tomasina McGuire's compensation shall consist of \$5,500.00, per annum, for her role as part-time Municipal Parks Administrator, and \$5,000, per annum, for her role as part-time Parks and Recreation Secretary, with no fringe benefits.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, that Tomasina McGuire shall be and hereby is hired as the part-time Municipal Parks Administrator and part-time Parks and Recreation Secretary for the Township of Kingwood.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt the foregoing Resolution to appoint a Part Time Parks Administrator and Parks and Recreation Secretary.

**ROLL CALL VOTE:**        **AYE - Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN - None**  
                                 **ABSENT – None**

**Resolution No. 2023-151 – Hiring of Part Time Dog Licensing Agent and Animal Control Liaison**

**RESOLUTION NO. 2023-151**

**RESOLUTION OF THE TOWNSHIP OF KINGWOOD, COUNTY OF  
HUNTERDON, STATE OF NEW JERSEY, MEMORIALIZING THE HIRING OF STEPHANIE HICKMAN AS PART-  
TIME DOG LICENSING AGENT AND ANIMAL CONTROL LIAISON**

**WHEREAS**, the Township has a vacancy in the positions of Dog Licensing Agent and Animal Control Liaison; and

**WHEREAS**, the Township has a need to hire a new Dog Licensing Agent and Animal Control Liaison; and

**WHEREAS**, Stephanie Hickman has demonstrated that she is qualified and able to perform the services of Dog Licensing Agent and Animal Control Liaison; and

**WHEREAS**, the governing body of the Township believes that Stephanie Hickman is the most qualified candidate and most deserving to be hired as Dog Licensing Agent and Animal Control Liaison for the Township; and

**WHEREAS**, Stephanie Hickman has decided to accept the offer of employment as part-time Dog Licensing Agent and part-time Animal Control Liaison, effective December 27, 2023; and

**WHEREAS**, Stephanie Hickman's compensation shall consist of \$2,500.00, per annum, for her role as part-time Dog Licensing Agent, and \$1,500, per annum, for her role as part-time Animal Control Liaison, with no fringe benefits; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, that Stephanie Hickman shall be and hereby is hired as the part-time Dog Licensing Agent and part-time Animal Control Liaison for the Township of Kingwood.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt the foregoing Resolution to appoint a Part Time Dog Licensing Agent and Animal Control Liaison.

**ROLL CALL VOTE:**        **AYE - Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN - None**  
                                 **ABSENT – None**

**Resolution No. 2023-152 – Authorizing Execution Of A Professional Services Agreement For Financial Consulting Services**

**RESOLUTION NO. 2023-152**

**RESOLUTION OF THE TOWNSHIP OF KINGWOOD, COUNTY OF  
HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES  
AGREEMENT FOR FINANCIAL CONSULTING SERVICES WITH PHOENIX CONSULTING GROUP, LLC**

**WHEREAS**, there exists a need for the Township of Kingwood to retain financial consulting and advisory services; and

**WHEREAS**, the governing body, having considered the same, now wishes to authorize Phoenix Consulting Group, LLC, to provide the aforesaid services with respect to its day-to-day financial affairs.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, that the Mayor, or his designee, shall be and hereby is authorized to execute an Agreement in a form acceptable to the Township Committee and Township Counsel, with regard to the aforesaid services, as per the proposal submitted by Phoenix Consulting Group on November 27, 2023, a copy of which is attached hereto and shall be available for review in the Municipal Clerk's Office together with the fully executed agreement; and

**BE IT FURTHER RESOLVED** that, in accordance with said Agreement, Phoenix Consulting Group, LLC, shall be and hereby is authorized to provide the aforesaid services with regard to the Rules and Regulations promulgated by the State of New Jersey and subject to any approval that may be required by the DCA; and

**BE IT FURTHER RESOLVED** that Donelle Bright, CMFO, shall oversee and coordinate the engagement between Phoenix Consulting Group, LLC, and the Township, and shall provide the services set forth in proposal/agreement between the Township and Phoenix Consulting Group, LLC; and

**BE IT FURTHER RESOLVED** that the contractual term shall continue for a period not to exceed one year from the date of retention (December 4, 2023), and is subject to termination by the Township during said term pursuant to the Agreement's terms and provisions.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt the foregoing Resolution to authorize a Professional Services Agreement for Financial Consulting Services with Phoenix Consulting Group LLC.

**ROLL CALL VOTE:**        **AYE - Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN - None**  
                                 **ABSENT – None**

**Resolution No. 2023-153 -Extending Temporary Employment As A General Municipal Worker**

**RESOLUTION NO. 2023-153**  
**RESOLUTION OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON,**  
**STATE OF NEW JERSEY, EXTENDING MARY MACCONNELL'S TEMPORARY**  
**EMPLOYMENT WITH THE TOWNSHIP AS A GENERAL MUNICIPAL WORKER**  
**THROUGH JANUARY 31, 2024**

**WHEREAS**, the Township Committee hired Mary MacConnell as a temporary general municipal worker commencing October 30, 2023, and terminating on December 30, 2023, unless otherwise extended by the Township Committee; and

**WHEREAS**, the Township Committee believes it is necessary to extend Ms. McConnell's employment for an additional month, specifically through January 31, 2024, upon the same terms and conditions previously established.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, that Mary MacConnell's employment with the Township shall be and hereby is extended through January 31, 2024, upon the same terms and conditions previously established between the parties.

It was moved by Mr. Riggio to adopt the foregoing Resolution to extend Temporary Employment as a General Municipal Worker. Mayor Russano stepped down from the chair, seconded and carried the motion.

**ROLL CALL VOTE:**        **AYE – Riggio, Russano**  
                                 **NAY – Syrnick**  
                                 **ABSTAIN – None**  
                                 **ABSENT – None**

**ORDINANCES**

**Public Hearing and Final Adoption of Ordinance No. 21-2023** – Mayor Russano read the Ordinance aloud by title:

**ORDINANCE NO. 21 – 2023**

**AN ORDINANCE TO PROHIBIT ILLICIT CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM(S) OPERATED BY KINGWOOD TOWNSHIP, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY**

**Whereas**, the Township of Kingwood seeks to establish requirements for the prohibition of illicit connections to the municipal separate storm sewer system(s) operated by Kingwood Township, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**Now Therefore, 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 I. Purpose:**

The purpose of this Ordinance is to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**SECTION II. Definitions:**

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Township of Kingwood, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).
- d. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Kingwood or other public body, and is designed and used for collecting and conveying stormwater. **NOTE:** In municipalities with

combined sewer systems, add the following: “MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.”

e. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.

f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

g. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

h. Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

i. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

### **SECTION III. Prohibited Conduct:**

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by Kingwood Township any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

### **SECTION IV. Enforcement:**

This Ordinance shall be enforced by the Zoning Official of Kingwood Township.

### **SECTION V. Penalties:**

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine of \$50.00 - \$500.00.

### **SECTION VI. Severability:**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

### **SECTION VII. Effective date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to open the public comment portion of the hearing. **All voted Aye on Roll Call Vote.** There were a few minor corrections to the Ordinance noted regarding spelling and inserting the Township's name. It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to close the public comment portion of the hearing. **All voted Aye on Roll Call Vote.**

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt Ordinance No. 21-2023 To Prohibit Illicit Connections To Municipal Separate Storm Sewer System Operated By Kingwood Township.

**ROLL CALL VOTE:**        **AYE – Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN – None**  
                                 **ABSENT – None**

Ordinance No. 21-2023 was adopted on first reading at a meeting of the Kingwood Township Committee held on November 2, 2023. It was finally adopted at a meeting of the Kingwood Township Committee held on December 7, 2023.

**Public Hearing and Final Adoption of Ordinance No. 22-2023** – Mayor Russano read the Ordinance aloud by title:

**ORDINANCE NO. 22 - 2023**

**AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY,  
AUTHORIZING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING  
SPACES**

**WHEREAS**, supporting the transition to electric vehicles contributes to Kingwood Township's commitment to sustainability and is in the best interest of public welfare; and

**WHEREAS**, installation of EVSE and Make-Ready parking spaces encourages electric vehicle use; and

**WHEREAS**, Kingwood Township encourages increased installation of EVSE and Make Ready parking spaces; and

**WHEREAS**, adoption of this Ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

**WHEREAS**, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and



**WHEREAS**, adoption of this Ordinance will support Kingwood Township's Master Plan adopted in accordance with the Municipal Land Use Law, and is not inconsistent with goals of the Master Plan as well as the Land Use Plan and Circulation Plan elements of the Master Plan; and

**WHEREAS**, Kingwood Township encourages greater ownership and use of electric vehicles, and is amending Chapter 132, Zoning, to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

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

**Section 1.** This ordinance shall be known as the ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES ORDINANCE.

**Section 2.** § 132-62 "Reserved", is hereby replaced with the following new § 132-62, as follows:

**§ 132-62 ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT**

**A. Purpose**

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

**B. Definitions. The following definitions are for terms used in this Ordinance.**

Certificate of occupancy: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.

2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

Make-Ready Parking Space: Means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.).

Private EVSE: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public). Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

### **C. Approvals and Permits**

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
2. EVSW and Make-Ready Parking Spaces installed pursuant to Section D. below in development Applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.

4. The Kingwood Township Zoning Officer shall enforce all signage and installation requirements described in this Ordinance. Failure to meet the requirements in this Ordinance shall be subject to the same enforcement and penalty provisions as other violations of Kingwood Township's land use regulations.
  4. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
  5.
    - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
    - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
    - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
6. An application pursuant to Section 5. above shall be deemed complete if:
  - a. the application, including the permit fee and all necessary documentation, is determined to be complete,
  - b. a notice of incompleteness is not provided within 20 days after the filing of the application, or
  - c. a one-time written correction notice is not issued by the *Zoning Officer* within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

#### **D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces**

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is

- held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
- a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
  - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
  - c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
  - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
  - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
- a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
  - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
  - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
  - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
  - e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
  - f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
  - g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
  - h. Notwithstanding the provisions of this Section, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

#### **E. Minimum Parking Requirements**

***{Note: Section E of the model ordinance is mandatory and may not be altered.}***

1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to Chapter 132, Article III District Regulations.
2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.

4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

**F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces**

1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.
2. Installation:
  - a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
  - b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
  - c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
  - d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
3. EVSE Parking:
  - a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE. In the case of EVSE on private property (i.e. commercial, manufacturing, office use), the use of time limits is optional and shall be determined by the property owner.
  - b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
  - c. Public Parking. Pursuant to NJSA 40:48-2, publicly-accessible EVSE parking spaces shall be subject to monitoring by the New Jersey State Police and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of the Code of the Township of Kingwood, Chapter 1, Article II, General Penalties, Section § 1-15 Maximum penalty; repeat offences, which shall not exceed a fine of \$50.00 per violation. Signs indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.
  - d. Private Parking. The use of EVSE shall be monitored by the property owner or designee.
4. Safety
  - a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5. below.

- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with Kingwood Township's ordinances and regulations.
  - c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
  - d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.
  - e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
  - f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
  - g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, Kingwood Township shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information. This information shall be provided to the Zoning Officer prior to the issuance of a certificate of occupancy for the operation of every individual EVSE charging station.
5. Sign
- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
  - b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
  - c. Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b. above.

d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:

- 1) Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
- 2) Usage fees and parking fees, if applicable; and
- 3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

## **6. Usage Fees**

a. RESERVED.

## **Section 3. SEVERABILITY**

If any section, paragraph, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

## **Section 4. REPEAL OF PRIOR ORDINANCES**

All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

## **Section 5. EFFECTIVE DATE**

This Ordinance shall become effective upon passage into law by the Kingwood Township Committee and upon publication in accordance with law.

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

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to open the public comment portion of the hearing. **All voted Aye on Roll Call Vote.** Committeewoman Syrnick commented on the Ordinance as well as Mr. Dodds from the public. It was moved by Committeewoman Syrnick, seconded by Committeeman Riggio and carried to close the public comment portion of the hearing. **All voted Aye on Roll Call Vote.**

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt Ordinance No. 22-2023 Authorizing Electric Vehicle Supply/Service Equipment (EVSE) & Make-Ready Parking Spaces.

**ROLL CALL VOTE:**      **AYE – Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN – None**  
                                 **ABSENT – None**

Ordinance No. 22-2023 was adopted on first reading at a meeting of the Kingwood Township Committee held on November 2, 2023. It was finally adopted at a meeting of the Kingwood Township Committee held on December 7, 2023.

**NEW BUSINESS****Township Committee Liaison Reports**

Mr. Riggio reported there will be a meeting of the Rockfall Subcommittee with the State DOT next week, December 14<sup>th</sup>. Mr. Riggio commented the last meeting provided the subcommittee with a presentation for Sections A, B and C of the plan, which is north of the Devil's Tea Table, while the meeting on December 14<sup>th</sup> will allow the subcommittee members to delve into Section D of the plan. The subcommittee members also asked Mr. Riggio to bring this info to the public, as well, and it was agreed to post to the Township's website.

Mr. Riggio reported on the Parks & Recreation Meeting last night, as far as the Tree Lighting Ceremony at Kingwood Park, the Thanksgiving Turkey Trot, power outage at the Morton Building at Horseshoe Bend Park. Mr. Riggio next began to report on the Environmental Commission, however, he was interrupted by Ms. Syrnick in regard to Parks and Rec. Ms. Syrnick asked about the list of tools the members discussed purchasing before end of year, Ms. Syrnick wanted the Parks and Rec members and Mr. Riggio to know there is no money currently in the Parks and Rec to use, it has been transferred out, and the Buildings and Grounds money won't be able to be used for any of the tools, as that is not the purpose of the Buildings and Grounds account, which the DPW Foreman is in charge of. Mr. Riggio commented that as of last night's meeting the secretary advised them there is still money in the account, and that is what they based their discussions on, but he will follow up with the Secretary.

Mr. Riggio reported in regard to the Copper Creek Restoration, the Environmental Commission is asking for help from a dump truck perspective to remove stones. Ms. Syrnick noted the DPW will be happy to assist. Mr. Riggio commented the commission members would like to be sure the material is disposed of properly, and Ms. Syrnick commented the DPW can take away clean fill and add it to the stockpile at the DPW.

Mr. Riggio commented that the Open Space & Agricultural Advisory committees are discussing whether to move their monthly meetings back into the Municipal Building, but as of now they will remain zoom meetings.

Ms. Syrnick reported there is no meeting of the Planning Board this month. Ms. Syrnick feels that the Planning Board and the Board of Adjustment should now be getting back to having their monthly meetings at the Municipal Building, in person.

Ms. Syrnick reported the DPW has received the initial grant application for paving Hammar Road, so this is moving forward. Ms. Syrnick also covered the DPW budget for next year, the fall cleanups along the roads, and the electric and plumbing work to the Kingwood Park House and winterizing of the Kingwood Park Pavilion.

Mayor Russano reported JCP&L has applied for a one billion dollar grant, if they receive the grant, a twelve and one half million dollar upgrade will be done at the Baptistown substation, and this work is planned to take place in the next twelve months. The substation in Rosemont in Delaware Township is also scheduled for an upgrade if the grant is received.

**Advance Animal Control Contract 2024**

Mayor Russano noted this will be on the January 2024 agenda.



**BIS Digital (Business Information Systems) Maintenance Contract 2024**

Mayor Russano noted this is an annual renewal, and following some discussion, it was decided to table until next meeting, and to check with the Court Administrator as to whether there have been any issues with the computer during court use.

**DVRHS Shared Services Software Agreement 2023-2024**

There are no complaints with the Shared Services Software Agreement which expires June 2024.

**OLD BUSINESS**

**Lead Based Paint Ordinance**

The Township will be adopting an ordinance next year, and Fire Marshal Concannon has provided a sample ordinance to work with.

**Planning Board Resolution No. 2023-09**

This is in regard to the Ordinance No. 22-2023 adopted earlier in the meeting, with the Planning Board finding no inconsistencies with the Master Plan.

**SCHEDULE FUTURE MEETINGS**

It was agreed to tentatively schedule an end of year meeting, if needed, for December 28, 2023 beginning at 5:30PM.

It was agreed to schedule the Reorganization Meeting in 2024 on January 4, 2024 beginning at 6:30PM, with the Regular Meeting of the Kingwood Township Committee to follow at 7:00PM.

**APPROVAL OF BILL LIST AND CLAIMS**

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to approve the Bill List and Claims in the amount of \$604,844.61.

**ROLL CALL VOTE:**      **AYE – Riggio, Syrnick, Russano**  
                                 **NAY – None**  
                                 **ABSTAIN – None**  
                                 **ABSENT – None**

**EXECUTIVE SESSION**

Atty Moscagiuri noted he doesn't know of any matters for tonight, and no executive session was held.

**ADJOURNMENT**

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adjourn the meeting at 8:51 PM. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Linda Leidner, RMC  
Township Clerk