



KINGWOOD TOWNSHIP COMMITTEE

REGULAR MEETING MINUTES

OCTOBER 5, 2023 – 7:00 P.M.

Mayor Andrew Russano, Jr., called the regular meeting of the Kingwood Township Committee to order on October 5, 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.

APPOINTMENT OF SPECIAL DEPUTY CLERK - RESOLUTION NO. 2023-110

The following resolution was introduced:

RESOLUTION NO. 2023 – 110

APPOINTMENT OF SPECIAL DEPUTY CLERK

WHEREAS, effective October 5, 2023 the Township Clerk Tiffany Crivelli is out on leave; and

WHEREAS, the Township Deputy Clerk Michele Tipton-Walters is not available for the October 5, 2023 Kingwood Township Committee meeting; and

WHEREAS, there is a need to continue business as usual for the Township Committee Meeting.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Kingwood that Diane Laudenbach shall serve as the Special Deputy Clerk for the October 5, 2023 Kingwood Township Committee Meeting; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt the foregoing Resolution. All voted **Aye** on **Roll Call Vote**.

ROLL CALL

Present: Mayor Andrew Russano, Jr., Deputy Mayor Maureen Syrnick, Committeeman Lance Riggio, Special Deputy Clerk and CFO Diane Laudenbach, and Township Attorney James Moscagiuri.

SERVICE ELECTRIC CABLE TV PUBLIC HEARING

Postponed until December 7th meeting.

OPEN PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Mary MacConnell, Spring Hill Road – commented on the lack of information for the benefit of the residents and public on the Township’s website, also asked what is going on with the SECTV renewal application.

David Frank, Muddy Run Road – was present for an update regarding the flooding on Muddy Run Road, and Mayor Russano suggested the committee members would address this during the Township Engineer’s report, later in the meeting. Mr. Frank noted there was an ordinance on the agenda tonight that he thinks is very good, but asked who complaints/reports will be filed with, and Att’y. Moscagiuri responded. Mr. Frank thanked the committee members for pushing the ordinance forward and feels the fine for violations should be set higher.

FIRST RESPONDERS’ REPORTS

- **Kingwood Township Rescue Squad** – Chief Kerry Floyd reported on the rescue squad’s responses within the Township for the month of September, as well as mutual aid. The squad is up to a total of 283 calls so far for this year. She noted that COVID is on the rise again due to the time of year, however, the squad has had no COVID related calls since Community Day.
- **Kingwood Township Fire Inspector** – Fire Marshall Dennis Concannon reported on the number of inspections, reinspections and permits for the month of September, and submitted his written report to the Deputy Clerk.
- **Kingwood Township Volunteer Fire Company** – Fire Chief D. Frank Floyd reported on the fire department responses within the Township for the month of September, as well as any mutual aid. Chief Floyd also reported on the program to replace carbon monoxide and smoke detectors in certain homes in the community. He also updated the committee members with the status of possible grants from FEMA, Governor’s Grant, Forest Fire Service Grant, and work being performed on the high water truck. Chief Floyd brought up a possible Resilient Community Grant, and asked if the committee members have given any thought to supporting the Fire Company in an application, as the Township Committee would be required to apply on their behalf. Following additional discussion, the committee members agreed to move forward with the preapplication that is required.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to authorize the preparation and submission of a preapplication to the Resilient Community Grant Program, for a possible project for the Fire Company. **All voted Aye on Roll Call Vote.**

- **Kingwood Township OEM** – OEM Coordinator D. Frank Floyd updated the committee Members regarding a variety of subjects, including FEMA funds for Kingwood Station-Barbertown Road, Horseshoe Bend Road culvert project which is actually replacement of a bridge, repair/maintenance of the Township’s emergency generators, order status

of the AED previously discussed items, possible EMMA award, Community Day and appointment of a new Deputy Emergency Management Coordinator.

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. 2023-123 and Resolution No. 2023-124 which Mayor Russano requested be removed and the correspondence from EL&P Engineering regarding a Proposal for Remaining MS4 Services which Ms. Syrnick requested be removed for discussion.

MONTHLY REPORTS

- Advanced Animal Control Incident Reports – None
- Budget Status Report –
- Court Report – August 2023
- Construction Report –
- Emergency Management Report –
- Fire Marshall Monthly Report – None
- New Jersey State Police Kingwood Barracks – None
- Township Engineer Report –
- Tax Collector Report –
- Zoning Official Report –

RESOLUTIONS

Resolution No. 2023-111 – Refunding Balances in Completed Well Testing Escrows

RESOLUTION NO. 2023 – 111

RESOLUTION REFUNDING BALANCES IN COMPLETED WELL TESTING ESCROWS

WHEREAS, the following project has been completed by the issuance of a Certificate of Occupancy and there remains a balance in the escrow account;

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 refund the following escrow funds:

Block 40, Lot 21 – Gerald and Abigail Miller, 99 Byram Kingwood Road, Stockton, NJ 08559 - \$1,100.00

Resolution No. 2023-112 – Surrendering Unclaimed Funds to The State Of New Jersey

RESOLUTION NO. 2023 – 112

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:

BLOCK 26, LOT 16.01	Marcus, William & Viola, 98 Featherbed Rd., Stockton, NJ, 08559	\$300.0 0
BLOCK 6, LOT 36	Gross, Ron, Jr., 1055 Route 12 West, Frenchtown, NJ, 08825	\$300.0 0
BLOCK 51, LOT 23	Bittel, Robert & Cynthia, 100 McDowell Drive, Lambertville, NJ, 08530	\$75.00
BLOCK 32, LOT 1.01	Racile, James & Kathleen, 81 Warsaw Rd., Frenchtown, NJ, 08825	\$300.0 0
BLOCK 22, LOT 13.02	Kirilenko, James & Kathleen, 270 Locktown Road, Flemington, NJ, 08822	\$300.0 0
BLOCK 11, LOT 2	Estate of M. Wehr, 1006 State Highway 12, Frenchtown, NJ, 08825	\$213.0 0
BLOCK 23, LOT 5.05	Bills, James & Kathleen, 68 Thatcher Road, Frenchtown, NJ, 08825	\$300.0 0
BLOCK 24, LOT 14.04	Keller, Joseph, 48 Muddy Run Rd., Frenchtown, NJ, 08825	\$300.0 0
BLOCK 35, LOT 13	Galasso, Elaine L., 15860 Candlewood Dr., Victorville, CA, 92395-4814	\$300.0 0
BLOCK 26, LOT 4.01	Matybell, Barbara Jean, 1382 Newtown Langhorne Rd., Newtown, PA 18910	\$300.0 0
BLOCK 29, LOT 6.01	Reim, Norman & Ann, 180 Kingwood Station Rd., Frenchtown, NJ, 08825	\$300.0 0
BLOCK 7, LOT 8.01	Peterpaul, Anthony, 7 Hampton Road, Frenchtown, NJ, 08825	\$300.0 0
BLOCK 23, LOT 25.02	Ranich, Daniel & Antoinette, 125 Barbertown Pt Brze Rd., Frenchtown, NJ 08825	\$300.0 0
BLOCK 41, LOT 8.13	Strasser, Joseph & Sharon, 125 Federal Twist Rd., Stockton, NJ, 08559	\$300.0 0

BLOCK 33, LOT 14.07	Eggleston, Brian., 16A Schaaf Road, Bloomsbury, NJ, 08804	\$300.0 0
BLOCK 41, LOT 8.08	Snyder, Charles & Grace, 157 Federal Twist Rd., Stockton, NJ, 08559	\$300.0 0
BLOCK 12, LOT 52	Walker, Joyce, 56 Brahma Ave., Bridgewater, NJ, 08807	\$300.0 0
BLOCK 39, LOT 20.01	Markus, Corie, 30 Tumble Falls Rd., Stockton, NJ, 08559	\$300.0 0
BLOCK 1, LOT 6	Sargenti, Dennis, 1245 County Road 519, Frenchtown, NJ, 08825	\$300.0 0
BLOCK 23, LOT 13.19	Ryan, James & Kathleen, 81 Warsaw Rd., Frenchtown, NJ, 08825	\$300.0 0
BLOCK 8, LOT 25.01	Laura Properties, 97 Lower Oak Grove Road, Frenchtown, NJ, 08825	\$475.0 0
BLOCK 12, LOT 18.02	Paulter, Gary & Vivian, 31 Horseshoe Bend Road, Frenchtown, NJ, 08825	\$296.0 0
BLOCK 14, LOTS 28.02 & 30	Horseshoe Bend LLC, 144 Horseshoe Bend Road, Frenchtown, NJ, 08825	\$175.0 0
BLOCK 18, LOT 7	Harris, Lawrence & Joan, 439 Barbertown Pt Breeze Road, Flemington, NJ 08825	\$300.0 0
BLOCK 19, LOT 13	Berliner, Richard, 128 Union Road, Frenchtown, NJ, 08825	\$300.0 0
BLOCK 28, LOT 3.03	Edwards, Carole E., 175 Fairview Road, Frenchtown, NJ 08825	\$500.0 0
BLOCK 29, LOT 14	LoSapio, Phyllis, Matthew Prystup, 258 Kingwood Station Rd, Frenchtown, NJ 08825	\$175.0 0
BLOCK 33, LOT 14	Estate of W. Clarke, 24 Elizabeth Avenue, Brick, NJ, 08724	\$350.0 0
BLOCK 35, LOT 12	Younger, William/Wozny Fran, 319 County Road 519, Stockton, NJ, 08559	\$300.0 0
BLOCK 29, LOT 14	LoSapio, Phyllis, Matthew Prystup, 258 Kingwood Station Rd, Frenchtown, NJ 08825	\$350.0 0

BLOCK 19,	Heid, John K & Maria, 315 Barbertown Pt Breeze Rd.,	\$300.0
LOT 19.01	Flemington, NJ, 08822	0

Resolution No. 2023-113 – Certificate of Determination and Award

RESOLUTION NO. 2023 – 113
Certificate of Determination and Award

I, Diane Laudenbach, Chief Financial Officer of the Township of Kingwood, in the County of Hunterdon, New Jersey (the "Township"), HEREBY CERTIFY as follows:

1. I hereby determine to issue the Bond Anticipation Note (the "Note") hereinafter described by virtue of the authority conferred upon me by the bond ordinance of the Township referred to in the attached chart by reference to number, date of adoption and amount of bonds or notes authorized, such Note to be issued in the amount described in the chart.

<u>TOTAL</u> <u>PRINCIPAL</u> <u>AMOUNT:</u>	<u>NUMBER</u>	<u>DENOMINATION</u>
\$75,000	2023-1	\$75,000
<u>DATE:</u>	September 13, 2023	
<u>MATURITY:</u>	September 12, 2024	
<u>INTEREST</u> <u>RATE PER</u> <u>ANNUUM:</u>	5.25%	
<u>PLACE OF</u> <u>PAYMENT:</u>	Township of Kingwood, in the County of Hunterdon, New Jersey	

2. Pursuant to the authority so conferred upon me, I have awarded and sold the Note to Amboy Bank, Old Bridge, New Jersey, at the price of \$75,000.00, plus an amount equal to the interest on the Note accrued to the date of payment of the purchase price.
3. No bonds of the Township have heretofore been issued pursuant to the bond ordinance referred to in Section 1 hereof.

4. The date of the first note or other obligation issued in anticipation of the issuance of the bonds that the Note is issued in anticipation of, whether or not now outstanding, is as stated in the attached chart.
5. No grants have been received, no paydowns have been made and no cancellations have been enacted that would reduce the debt authorization below the amount of notes outstanding under the bond ordinance described in the attached chart except as indicated in the attached chart.
6. No notes or other obligation in anticipation of the issuance of bonds have heretofore been issued pursuant to the bond ordinance referred to in the attached chart and now remain outstanding and unpaid.

**Resolution No. 2023-114 – Awarding Professional Service Contract for Affordable Housing
Administrative Agent Services**

RESOLUTION NO. 2023 – 114

**AWARDING PROFESSIONAL SERVICE CONTRACT TO COMMUNITY GRANTS, PLANNING AND HOUSING,
LLC (CGP&H) FOR AFFORDABLE HOUSING ADMINISTRATIVE AGENT SERVICES WITHOUT COMPETITIVE
BIDDING**

WHEREAS, the Township has a need for a professional Affordable Housing Administrative Agent to administer affordable housing obligations as required by New Jersey law and that certain Superior Court – approved settlement agreement by and among the Township and Fair Share Housing Center, et al; and

WHEREAS, the Local Public Contracts Law, codified under N.J.S.A. 40A:11-1, et seq., specifically N.J.S.A. 40A:11-5, permits the award of professional services without public advertisement as defined in N.J.S.A. 19:44A-20.7 or competitive bidding, pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Township received a proposal from CGP&H dated June 26, 2023, for the provision of Administrative Agent Services for an annual amount not to exceed ten thousand dollars (\$10,000.00); and

WHEREAS, the Township Planner, David Banisch, and Township Counsel, each reviewed the submission of CGP&H and have recommended that the Committee award the contract to CPG&H; and

WHEREAS, the Township’s Chief Financial Officer certifies that sufficient funds are available for this purpose; and

WHEREAS, the Township Committee believes it to be in the best interest of the Township to award the contract for Affordable Housing Administrative Agent Services to CPG&H.

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

1. The Mayor and Municipal Clerk shall be and are hereby authorized and directed to execute a contract with CPG&H for the provision of Affordable Housing Administrative Services; and

2. That notice of this action shall be published in the Township's official newspaper as required by law.

Resolution No. 2023-115 – Surrendering Unclaimed Funds to the State of New Jersey

**RESOLUTION NO. 2023-115
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.

BE IT FURTHER 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:

Scott Tozzi, 16 Anthony Road, Glen Gardner, NJ - \$23.50

Delaware Valley Feed & Farm, 1133A State Route 12, Frenchtown, NJ - \$29.00

Luther Travis, 55 S. Sugan Road, New Hope, PA - \$20.00

Resolution No. 2023-116 – Refunding Board of Health PERC and Soil Receipts

**RESOLUTION NO. 2023 – 116
RESOLUTION REFUNDING BALANCES IN COMPLETED BOARD OF HEALTH PERC AND SOIL ESCROWS**

WHEREAS, the following projects have been completed and there remains a balance in their escrow accounts.

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 refund the following escrow funds:

BLOCK 17, LOT 6.04	Larsen, Ronald & MaryAnn, 872 State Highway 12, Frenchtown, NJ, 088	\$ 300.00
BLOCK 26, LOT 16.01	Marcus, William & Viola, 98 Featherbed Rd., Stockton, NJ, 08559	\$ 300.00
BLOCK 6, LOT 36	Gross, Ron, Jr., 1055 Route 12 West, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 32, LOT 10	Tumble Partnership, LLP, 11 Taylor Road, Edison, NJ, 08817	\$ 300.00

BLOCK 14, LOT 40.01	Bloyd, Lee, 24 Fairview Road, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 51, LOT 23	Bittel, Robert & Cynthia, 100 McDowell Drive, Lambertville, NJ, 08530	\$ 75.00
BLOCK 32, LOT 1.01	Racile, James & Kathleen, 81 Warsaw Rd., Frenchtown, NJ, 08825	\$ 300.00
BLOCK 22, LOT 13.02	Kirilenko, James & Kathleen, 270 Locktown Road, Flemington, NJ, 08822	\$ 300.00
BLOCK 11, LOT 2	Estate of M. Wehr, 1006 State Highway 12, Frenchtown, NJ, 08825	\$ 213.00
BLOCK 23, LOT 5.05	Bills, James & Kathleen, 68 Thatcher Road, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 24, LOT 14.04	Keller, Joseph, 48 Muddy Run Rd., Frenchtown, NJ, 08825	\$ 300.00
BLOCK 17, LOTS 15 & 16.03	Galleria Construction Inc. 309 State Highway 31, Flemington, NJ, 08822	\$ 475.00
BLOCK 35, LOT 13	Galasso, Elaine L., 15860 Candlewood Dr., Victorville, CA, 92395-4814	\$ 300.00
BLOCK 26, LOT 4.01	Matybell, Barbara Jean, 1382 Newtown Langhorne Rd., Newtown, PA 18910	\$ 300.00
BLOCK 6, LOT 57	Bauersachs, Rolf & Jennifer, 1021 County Road 519, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 29, LOT 6.01	Reim, Norman & Ann, 180 Kingwood Station Rd., Frenchtown, NJ, 08825	\$ 300.00
BLOCK 7, LOT 8.01	Peterpaul, Anthony, 7 Hampton Road, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 19, LOT 6.01	Venckus, Roy & Rachel, 22 Fitzer Road, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 23, LOT 25.02	Ranich, Daniel & Antoinette, 125 Barbertown Pt Brze Rd., Frenchtown, NJ 08825	\$ 300.00
BLOCK 12, LOT 33	Delia, Estate of Samuel M. Sr., 955 County Road 519, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 41, LOT 8.13	Strasser, Joseph & Sharon, 125 Federal Twist Rd., Stockton, NJ, 08559	\$ 300.00
BLOCK 18, LOT 7.01	Conlon, Frank & Janice, 435 Barbertown Pt Breeze Rd., Flemington, NJ, 08822	\$ 300.00

BLOCK 33, LOT 14.07	Eggleston, Brian., 16A Schaaf Road, Bloomsbury, NJ, 08804	\$ 300.00
BLOCK 14, LOT 8	Search, Gary & Sandra, 9660 SW 101st Place, Ocala, FL 34481	\$ 300.00
BLOCK 40, LOT 16	Bayer-Risse Engineering, Inc., 78 Route 173W, Ste 6, Hampton, NJ 08827	\$ 300.00
BLOCK 41, LOT 8.08	Snyder, Charles & Grace, 157 Federal Twist Rd., Stockton, NJ, 08559	\$ 300.00
BLOCK 12, LOT 52	Walker, Joyce, 56 Brahma Ave., Bridgewater, NJ, 08807	\$ 300.00
BLOCK 39, LOT 20.01	Markus, Corie, 30 Tumble Falls Rd., Stockton, NJ, 08559	\$ 300.00
BLOCK 6, LOT 29.04	Braukmann, Kimberly & William, 1071 State Highway 12, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 12, LOT 55	Galleria Homes LLC, 309 Highway 31, Flemington, NJ, 08822	\$ 300.00
BLOCK 25, LOTS 6, 6.01, 6.05	Galleria Homes LLC, 309 Highway 31, Flemington, NJ, 08822	\$ 1,075.00
BLOCK 1, LOT 6	Sargenti, Dennis, 1245 County Road 519, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 24, LOT 11	Grillo, Janet, 504 County Road 519, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 12, LOT 1	Pierce, Cornelia & Cornelia A., 100 Kingwood Station Rd., Frenchtown, NJ, 08825	\$ 475.00
BLOCK 23, LOT 13.19	Ryan, James & Kathleen, 81 Warsaw Rd., Frenchtown, NJ, 08825	\$ 300.00
BLOCK 2, LOT 16	First Unitarian Univ Fellowship HC, PO Box 122, Baptistown, NJ, 08803	\$ 75.00
BLOCK 2, LOT 5	Helmer, Gerald, 231 Oak Summit Road, Pittstown, NJ, 08867	\$ 1,050.00
BLOCK 6, LOT 57	Bauersachs, Rolf & Jennifer, 30 Spring Hill Road, Frenchtown, NJ 08825	\$ 300.00
BLOCK 8, LOT 3	Zigich, Glenn & Laura, 473 Oak Grove Road, Frenchtown, NJ, 08825	\$ 300.00

BLOCK 8, LOT 42	Cecchini, Peter & Barbara, 6 Myers Lane, Stockton, NJ, 08859	\$ 100.00
BLOCK 8, LOT 25.01	Laura Properties, 97 Lower Oak Grove Road, Frenchtown, NJ, 08825	\$ 475.00
BLOCK 12, LOT 18.02	Paulter, Gary & Vivian, 31 Horseshoe Bend Road, Frenchtown, NJ, 08825	\$ 296.00
BLOCK 14, LOT 22.02	Overington, Lisa, 62 Horseshoe Bend Road, Frenchtown, NJ, 08825	\$ 175.00
BLOCK 14, LOTS 28.02 & 30	Horseshoe Bend LLC, 144 Horseshoe Bend Road, Frenchtown, NJ, 08825	\$ 175.00
BLOCK 15, LOT 4.03	Desapio Family Partnerhsip, 317 Ridge Road, Frenchtown, NJ, 08825	\$ 525.00
BLOCK 18, LOT 7	Harris, Lawrence & Joan, 439 Barbertown Pt Breeze Road, Flemington, NJ 08825	\$ 300.00
BLOCK 19, LOT 18.01	Capiello, Anthony, 128 Kingwood Locktown Road, Stockton, NJ, 08559	\$ 175.00
BLOCK 19, LOT 13	Berliner, Richard, 128 Union Road, Frenchtown, NJ, 08825	\$ 300.00
BLOCK 19, LOT 3.04	Blumberg, Allen, 900 South Ave W., Apt 12, Westfield, NJ 07090	\$ 417.50
BLOCK 20, LOT 7	Galleria Construction Inc. 309 State Highway 31, Flemington, NJ, 08822	\$ 1,275.00
BLOCK 26, LOT 6.01	Bayer-Risse Engineering, Inc., 78 Route 173W, Ste 6, Hampton, NJ, 08827	\$ 300.00
BLOCK 28, LOT 3.03	Edwards, Carole E., 175 Fairview Road, Frenchtown, NJ 08825	\$ 500.00
BLOCK 29, LOT 14	LoSapio, Phyllis, Matthew Prystup, 258 Kingwood Station Rd, Frenchtown, NJ 08825	\$ 175.00
BLOCK 33, LOT 1	Lang, Steven L., 43 W. Prospect Street, E. Brunswick, NJ, 08816	\$ 650.00
BLOCK 33, LOT 14	Estate of W. Clarke, 24 Elizabeth Avenue, Brick, NJ, 08724	\$ 350.00
BLOCK 35, LOT 12	Younger, William/Wozny Fran, 319 County Road 519, Stockton, NJ, 08559	\$ 300.00

BLOCK 39, LOT 15.02	Galleria Construction, 309 State Highway 31, Flemington, NJ, 08825	\$ 300.00
BLOCK 17, LOT 1	Galleria Construction, 309 State Highway 31, Flemington, NJ, 08825	\$ 300.00
BLOCK 29, LOT 14	LoSapio, Phyllis, Matthew Prystup, 258 Kingwood Station Rd, Frenchtown, NJ 08825	\$ 350.00
BLOCK 19, LOT 19.01	Heid, John K & Maria, 315 Barbertown Pt Breeze Rd., Flemington, NJ, 08822	\$ 300.00
BLOCK 32, LOT 8	Rinkens, Elfriede & Johann, 73 Barbertown Idell Rd., Frenchtown, NJ, 08825	\$ 300.00
BLOCK 26, LOT 12	Drake, James & Tanya, 332 County Road 519, Frenchtown, NJ, 08825	\$ 300.00

Resolution No. 2023-117 – Appointment of Open Space Committee/Agricultural Advisory Committee Secretary

RESOLUTION NO. 2023 – 117

APPOINTMENT OF OPEN SPACE AND AGRICULTURAL ADVISORY COMMITTEE SECRETARY

WHEREAS, the Township Committee of the Township of Kingwood, Hunterdon County, New Jersey acknowledges a need for an Open Space and Agricultural Advisory Committee Secretary.

NOW, THEREFORE, BE IT RESOLVED by the Kingwood Township Committee that the salary for the position of the Open Space and Agricultural Advisory Committee Secretary is established as follows:

Name	Effective Date	Salary	Term Expiration
Kerry Floyd	October 2, 2023	\$3,500 Annual	December 31, 2023

Resolution No. 2023-118 – Appointment of Environmental Commission Secretary

RESOLUTION NO. 2023 – 118

APPOINTMENT OF ENVIRONMENTAL COMMISSION SECRETARY

WHEREAS, the Township Committee of the Township of Kingwood, Hunterdon County, New Jersey acknowledges a need for an Environmental Commission Secretary.

NOW, THEREFORE, BE IT RESOLVED by the Kingwood Township Committee that the salary for the position of the Environmental Commission Secretary is established as follows:

Name	Effective Date	Salary	Term Expiration
Erin Pinelli	October 1, 2023	\$4,000 Annual	December 31, 2023

Resolution No. 2023-120 - Cancellation of Checks

**RESOLUTION NO. 2023 - 120
CANCELLATION OF CHECKS**

WHEREAS, the Township shows that check Nos. 94920 & 94940 are still outstanding; and

WHEREAS, the Chief Financial Officer has researched the outstanding checks by contacting the payees and the payees have confirmed that they have remitted the checks for payment and received the funds.

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 cancel check Nos. 94920 in the amount of \$242.00 and 94940 in the amount of \$204.00 and return the funds to the Current Fund account.

Resolution No. 2023-121 – Redemption of Municipal Tax Sale Certificate

**RESOLUTION NO. 2023 – 121
REDEMPTION WITHIN 10 DAYS ON A MUNICIPAL TAX SALE CERTIFICATE
NO. 23-00008 ON PROPERTY KNOWN AS: 128 HAMMER ROAD, BLOCK 22
LOT 21 Q0401**

WHEREAS, a 2022 tax delinquency on Block 22 Lot 21 Q0401 known as 128 Hammer Road in the name of Brian Scott Bennett went to Tax Sale on September 20, 2023 and the certificate was struck off to Kingwood Township in the amount of \$62.71; and

WHEREAS, the Tax Collector's Office received a redemption, within 10 days, from the owner of the property; and

WHEREAS, the total redemption amount of \$156.11 was collected on October 3, 2023 and deposited into the current fund;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the Township Tax Collector is authorized to cancel the certificate and adjust her records accordingly.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Township Chief Financial Officer.

CORRESPONDENCE

Letter from Board of County Commissioners Opposing HR3372 – 9/18/2023
Memo from Parks & Recreation Committee re: Updating Township AED Devices
Environmental Commission 2022 Annual Report
EL&P Engineering Proposal for Remaining MS4 Services

MINUTES

September 7, 2023 Regular and Executive Session Meetings – tabled until 11/2/2023
September 15, 2023 Special and Executive Session Meetings – tabled until 11/2/2023

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 October 5, 2023, with the noted exceptions.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**
 NAY – None
 ABSTAIN – None
 ABSENT – None

RETURN TO REGULAR MEETING AGENDA

RESOLUTIONS

Mayor Russano noted Resolution Nos. 2023-123 and 2023-124 will be addressed at the executive session portion of the meeting.

EL&P Engineering Proposal for Remaining MS4 Services

Ms. Syrnick wanted to be sure the committee members reviewed the above proposal as another company, the current engineering firm, previously provided a proposal of \$43,000 or \$44,000 and EL&P is proposing \$50,000. The EL&P proposal does not seem to provide for any work that will be required in future years. The current engineering firm has performed some work they were contracted to do, and Ms. Syrnick feels the committee members need to keep a close eye that they do not go over the budgeted amount.

ORDINANCES

Public Hearing and Final Adoption of Ordinance No. 12-2023 – Mayor Russano read the Ordinance aloud by title:

ORDINANCE NO. 12 - 2023

AN ORDINANCE PROVIDING FOR THE REPLACEMENT FOR THE RIDGE ROAD CULVERT BY THE TOWNSHIP OF KINGWOOD, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$505,000.00 THEREFORE

BE IT ORDAINED by the Township 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 \$505,000.00. The funding for

the ordinance is through receipt of a \$430,000.00 grant from the State of New Jersey Department of Transportation and \$75,000.00 from the Capital Improvement Fund American Rescue Plan 2021.

Section 2. (a) The improvement hereby authorized is the reconstruction of Ridge Road Culvert.

(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 \$75,000.00, for items of expense listed in and permitted under NJSA 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.

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**. Mayor Russano commented on the funding for this work, he wanted to clarify the grant money that was obtained. There were no comments from the public or from the committee members. 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. 12-2023 Providing For The Replacement for The Ridge Road Culvert by The Township of Kingwood, Appropriating \$505,000 Therefore.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**
 NAY – None
 ABSTAIN – None
 ABSENT – None

Ordinance No. 12-2023 was adopted on first reading at a meeting of the Kingwood Township Committee held on September 7, 2023. It was finally adopted at a meeting of the Kingwood Township Committee held on October 5, 2023.

Public Hearing and Final Adoption of Ordinance No. 13-2023 – Mayor Russano read the Ordinance aloud by title:

ORDINANCE NO. 13 - 2023

AN ORDINANCE TO PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE IN ANY PUBLIC PARK OR ON ANY OTHER PROPERTY OWNED OR OPERATED BY KINGWOOD TOWNSHIP, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY

SECTION I. Purpose:

An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by Kingwood Township so as to protect public health, safety and welfare, and to prescribe penalties for 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.

- a. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife – all animals that are neither human nor domesticated.

SECTION III. Prohibited Conduct:

- a. No person shall feed, in any public park or on any other property owned or operated by Kingwood Township, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

SECTION IV. Enforcement:

- a. This ordinance shall be enforced by the State Police for Kingwood Township.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

SECTION V. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$50 - \$100.

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 no comments from the public or from the committee members. 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. 13-2023 To Prohibit Feeding of Unconfined Wildlife to Protect Public Health, Safety and Welfare.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**
 NAY – None
 ABSTAIN – None
 ABSENT – None

Ordinance No. 13-2023 was adopted on first reading at a meeting of the Kingwood Township Committee held on September 7, 2023. It was finally adopted at a meeting of the Kingwood Township Committee held on October 5, 2023.

Public Hearing and Final Adoption of Ordinance No. 14-2023 – Mayor Russano read the Ordinance aloud by title:

ORDINANCE NO. 14 - 2023

An Ordinance Requiring Dumpsters and Other Refuse Containers That Are Outdoors or Exposed To Stormwater To Be Covered At All Times And Prohibits The Spilling, Dumping, Leaking, Or Otherwise Discharge Of Liquids, Semi-Liquids Or Solids From The Containers To The Municipal Separate Storm Sewer System(S), If Any, Operated By The Kingwood Township and/or The Waters Of The State So As 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” be always mandatory and not merely directory.

- a. 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 Kingwood Township or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater – means 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.
- e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by Kingwood Township.

SECTION IV. Exceptions to Prohibition:

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

SECTION V. Enforcement:

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

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$100 - \$1,000.

SECTION VII. 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 VIII. 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 Mr. Riggio, seconded by Ms. Syrnick and carried to open the public comment portion of the hearing. **All voted Aye on Roll Call Vote.** There were no comments from the public or from the committee members. It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to close the public comment portion of the hearing. **All voted Aye on Roll Call Vote.**

It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to adopt Ordinance No.14-2023 Requiring Dumpsters and Other Refuse Containers to be Covered, To Protect Public Health, Safety and Welfare.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**
 NAY – None
 ABSTAIN – None
 ABSENT – None

Ordinance No. 14-2023 was adopted on first reading at a meeting of the Kingwood Township Committee held on September 7, 2023. It was finally adopted at a meeting of the Kingwood Township Committee held on October 5, 2023.

Public Hearing and Final Adoption of Ordinance No. 15-2023 – Mayor Russano read the Ordinance aloud by title.

ORDINANCE NO. 15 - 2023

AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR THE PROPER DISPOSAL OF PET SOLID WASTE IN KINGWOOD TOWNSHIP, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY

SECTION I. Purpose:

An ordinance to establish requirements for the proper disposal of pet solid waste in kingwood township, so as to protect public health, safety and welfare, and to prescribe penalties for 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.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

SECTION III. Requirement for Disposal:

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

SECTION IV. Exemptions:

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

SECTION V. Enforcement:

The provisions of this Article shall be enforced by the State Police for Kingwood Township.

SECTION VI. Violations and Penalty:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$50 - \$500.

SECTION VII. 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 VIII. 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 Mr. Riggio, seconded by Ms. Syrnick and carried to open the public comment portion

of the hearing. **All** voted **Aye** on **Roll Call Vote**. There were no comments from the public or from the committee members. It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to close the public comment portion of the hearing. **All** voted **Aye** on **Roll Call Vote**.

It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to adopt Ordinance No. 15-2023 To Establish Requirements for Proper Disposal of Pet Solid Waste in the Township to Protect Public Health, Safety and Welfare.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**
 NAY – None
 ABSTAIN – None
 ABSENT – None

Ordinance No. 15-2023 was adopted on first reading at a meeting of the Kingwood Township Committee held on September 7, 2023. It was finally adopted at a meeting of the Kingwood Township Committee held on October 5, 2023.

Public Hearing and Final Adoption of Ordinance No. 16-2023 – Mayor Russano read the Ordinance aloud by title.

ORDINANCE NO. 16-2023

AN ORDINANCE TO ESTABLISH REQUIREMENTS TO CONTROL LITTERING IN KINGWOOD TOWNSHIP, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY

SECTION I. Purpose:

An ordinance to establish requirements to control littering in Kingwood Township, so as 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.

- a. Litter - any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper

containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

- b. Litter Receptacle – a container suitable for the depositing of litter.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

SECTION III. Prohibited Acts and Regulated Activities:

1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

SECTION IV. Enforcement:

This ordinance shall be enforced by the State Police for 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 not to exceed \$250 - \$1,000.

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 Mr. Riggio, seconded by Ms. Syrnick and carried to open the public comment portion of the hearing. **All** voted **Aye** on **Roll Call Vote**. There were no comments from the public or from the committee members. It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to close the public comment portion of the hearing. **All** voted **Aye** on **Roll Call Vote**.

It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to adopt Ordinance No. 16-2023 To Establish Requirements to Control Littering in the Township to Protect Public Health, Safety and Welfare.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**
 NAY – None

ABSTAIN – None
ABSENT – None

Ordinance No. 16-2023 was adopted on first reading at a meeting of the Kingwood Township Committee held on September 7, 2023. It was finally adopted at a meeting of the Kingwood Township Committee held on October 5, 2023.

Public Hearing and Final Adoption of Ordinance No. 17-2023 – Mayor Russano read the Ordinance aloud by title.

ORDINANCE NO. 17 - 2023

AN ORDINANCE TO ESTABLISH A YARD WASTE COLLECTION AND DISPOSAL PROGRAM IN KINGWOOD TOWNSHIP, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY

SECTION I. Purpose:

An ordinance to establish a yard waste collection and disposal program in Kingwood Township, so as 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.

- a. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.
- d. Yard Waste – means leaves and grass clippings.

SECTION III. Yard Waste Collection

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

SECTION IV. Enforcement:

The provisions of this ordinance shall be enforced by the Zoning Official or Construction Official.

SECTION V. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$100 - \$500.

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be 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 Mr. Riggio, seconded by Ms. Syrnick and carried to open the public comment portion of the hearing. **All** voted **Aye** on **Roll Call Vote**. There were no comments from the public or from the committee members. It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to close the public comment portion of the hearing.

All voted **Aye** on **Roll Call Vote**.

It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to adopt Ordinance No. 17-2023 To Establish a Yard Waste Collection and Disposal Program in the Township to Protect Public Health, Safety and Welfare.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**
 NAY – None
 ABSTAIN – None
 ABSENT – None

Ordinance No. 17-2023 was adopted on first reading at a meeting of the Kingwood Township Committee held on September 7, 2023. It was finally adopted at a meeting of the Kingwood Township Committee held on October 5, 2023.

Introduction and Adoption on First Reading of Ordinance No. 18-2023 – Mayor Russano read the Ordinance aloud by title:

ORDINANCE NO. 18 – 2023

AN ORDINANCE REQUIRING THE RETROFITTING OF EXISTING STORM DRAIN INLETS WHICH ARE IN DIRECT CONTACT WITH REPAVING, REPAIRING, RECONSTRUCTION, OR RESURFACING OR ALTERATIONS OF FACILITIES ON PRIVATE PROPERTY, TO PREVENT THE DISCHARGE OF SOLIDS AND FLOATABLES (SUCH AS PLASTIC BOTTLES, CANS, FOOD WRAPPERS AND OTHER LITTER) 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 requirement for retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction or resurfacing of alterations of facilities on private property, to prevent the discharge of solids and floatables to the municipal separate storm sewer system(s) operated by the Township of Kingwood, if any, 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:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Kingwood, if any, so as 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.

- a. 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 [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.

SECTION IV. Design Standard:

Storm drain inlets identified in Section III above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.
 - c. Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.
2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:

- a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
- b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.
- c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
- d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

SECTION V. Enforcement:

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

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$50 - \$500 for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION VII. 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 VIII. 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 Mr. Riggio, seconded by Ms. Syrnick and carried to adopt Ordinance No. 18-2023 Requiring the Retrofitting of Existing Storm Drain Inlets to Prevent Discharge to the Municipal Separate Storm Sewer System.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**

NAY – None
ABSTAIN – None
ABSENT – None

Consideration of final adoption of Ordinance No. 18-2023 at a public hearing is scheduled for Thursday, November 2, 2023 at a meeting beginning at 7:00 P.M. at the Municipal Building, 599 Oak Grove Road, Frenchtown, New Jersey.

Introduction and Adoption on First Reading of Ordinance No. 19-2023 – Mayor Russano read the Ordinance aloud by title:

ORDINANCE NO. 19 - 2023

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR THE STORAGE OF SALT AND OTHER SOLID DE-ICING MATERIALS ON PROPERTIES NOT OWNED OR OPERATED BY THE MUNICIPALITY (PRIVATELY-OWNED), INCLUDING RESIDENCES IN THE TOWNSHIP OF KINGWOOD, TO PROTECT THE ENVIRONMENT, PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY

Whereas, the Township of Kingwood seeks to establish requirement for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned) ,including residences, in the Township of Kingwood to protect the environment, public health, safety and welfare, and to prescribe penalties for 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 prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in Kingwood Township to protect the environment, public health, safety and welfare, and to prescribe penalties for 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 consistent 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.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

- B. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. "Storm drain inlet" means the point of entry into the storm sewer system.
- D. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - 3. The structure shall be erected on an impermeable slab;
 - 4. The structure cannot be open sided; and
 - 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
 - F. "Resident" means a person who resides on a residential property where de-icing material is stored.

SECTION III. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 - 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 - 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 - 4. Loose materials shall be covered as follows:

- a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 5. Containers must be sealed when not in use; and
 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.
- C. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION V. Enforcement:

This ordinance shall be enforced by the Zoning Official of Kingwood Township during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall be found to be in violation of the provisions of this ordinance shall be subject to a fine of \$50.00 - \$500.00.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and 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 VIII. 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 Mr. Riggio, seconded by Ms. Syrnick and carried to adopt Ordinance No. 19-2023 Establishing Requirements for Storage of Salt and Other Solid De-Icing Materials Privately-Owned Properties To Protect the Environment, Public Health, Safety and Welfare.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**
 NAY – None
 ABSTAIN – None
 ABSENT – None

Consideration of final adoption of Ordinance No. 19-2023 at a public hearing is scheduled for Thursday, November 2, 2023 at a meeting beginning at 7:00 P.M. at the Municipal Building, 599 Oak Grove Road, Frenchtown, New Jersey.

NEW BUSINESS**Township Committee Liaison Reports:**

Ms. Syrnick reported on various activities for DPW including mowing of all the roads, cutting back Multiflora Rose and Russian Olive on all the roads, Federal Twist Road paving project, power washing of the Municipal Building through the Labor Assistance Program (SLAP) that should be completed by the end of this month. Ms. Syrnick also reported on the house at Kingwood Park as far as the heating system, there appear to be multiple leaks. The Township will invest \$2,500 for a pressurized test to be performed in order to isolate the leaks and determine how much needs to be fixed. In addition, the DPW will install a new door on the chicken coop at the Park. The Delaware Valley Volleyball Team had obtained a Clean Communities Grant, which they used to clean up trash at Kingwood Park, approximately 95% was cleaned up by them after Community Day.

Mr. Riggio reported on Parks and Recreation in regard to Community Day that took place at Kingwood Park. He noted the variety of things that had to be done to pull everything together and thanked everyone who helped out, he is very proud of being part of the team that organized that day. Parks and Recreation was already discussing at their meeting last night how to improve things for next year. There were about 212 vehicles parked at fireworks time, a pretty good turnout, and there was positive feedback from some residents. He commented on the great job that was done by the office staff in e-organizing the Community Day link.

Mr. Riggio commented the Parks and Recreation Committee last night had a lengthy discussion on the house at Kingwood Park, and they expressed concerns regarding the status of it, due to the coming weather. Mr. Riggio will provide them with the previously reported information regarding the heating system, and Ms. Syrnick encouraged him to ask them for a decision/proposal of what they would like to do with the house before the Township spends money on it.

Mr. Riggio reported on a recent meeting of the Rockfall Subcommittee with the State DOT that took place this Monday, first meeting they have had since July 20th. He commented that 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 Section D of the plan will require a separate meeting to present. This project will cost approximately \$40m dollars. The subcommittee members asked Mr. Riggio to bring this info to the Township Committee, and he feels the committee members, by seeing these pictures, will then have a feeling of the logic and options being offered. Mr. Riggio reviewed the pictures from the State of the various options being offered, while describing the concerns/issues the subcommittee talked about, and he listened to and responded to the comments/questions from the committee members and some of the first responders still in attendance. 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.

Richard Dodds, a member of the subcommittee, was present and confirmed the information that was shown tonight has been provided to the Hunterdon County Planning Board, for their review. Mr. Dodds noted that none of the six options offered by the State is acceptable to anyone on the subcommittee, so they decided to expand it out to the County for support.

Mayor Russano will write a letter/letters to the Governor's Liaison, NJDOT and the Township's other legislators. Mr. Riggio will email the presentation to the committee members.

Mr. Riggio briefly reported on matters from the Board of Education, which included an internet outage that has now been mitigated, their open houses were well attended, they have obtained two out of three grants which will be utilized for improving the school nurse's facilities, still are concerns about the limited space available for preschoolers, and we are still waiting for the previously offered HEPA filters.

Mr. Riggio briefly reported on matters from the Environmental Commission, preparation of their Annual Report, presentation about protecting the banks of Copper Creek through the Copper Creek Restoration Project, and the Application for BI 12 L 11 for a Class B Tree Recycling Permit. Environmental Commission members are trying to organize visits to the site for three commission members, Mr. Riggio does not know the date of the public hearing as of yet.

Mayor Russano reported there were two DWI offenses in the Township, this is in response to a question from a resident at the September 7, 2023 Township Committee Meeting. He also reported the Housing Board held a special meeting, and the committee members will be receiving a memo regarding any updates on the COAH potential housing involving Galleria Construction in the village.

Discussion on Potential RFP for Professional Services

It was agreed to return to this subject on the November Agenda in order to allow the committee members a little time to consider.

Discussion on Claims Procedure for Disbursements

It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried that the Clerk's Office will disperse/mail out the checks following the meetings, to comply with the Township's current Ordinance and to attempt to separate some of the finance duties as per the Annual Audit recommendation.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**
 NAY – None
 ABSTAIN – None
 ABSENT – None

SDL Spatial Data Logic Annual Renewal Information

Mr. Riggio had several questions regarding the Township's website, and he was advised to contact the company directly, and it was noted the Township Clerk most likely will have a contact name. It seems there are some accuracy issues with the website, and this seems to be due to information the Township is either providing to SDL incorrectly or not at all. The Construction Official is scheduled for training with SDL in November.

MAC Dog Licensing Annual Maintenance Contract

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to renew the MAC Dog Licensing Annual Maintenance Contract for 2024 in the amount of \$675.00.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**
 NAY – None
 ABSTAIN – None
 ABSENT – None

Discussion/Approval of Resolution #2023-119 Opposing H.R. 3372**RESOLUTION NO. 2023 – 119****Opposing H.R. 3372, Which Would Establish a 10-Year Pilot Program
for States to Test 91,000 Pound Trucks**

WHEREAS, H.R. 3372 was introduced in the House of Representative on May 16, 2023 and could create a program for states to "test" 91,000-pound trucks on their roads; and

WHEREAS, this increase to 91,000 pounds represents a nearly 14% increase over the current large rigs which are approximately 80,000 pounds in weight; and

WHEREAS, a 2023 joint study prepared by the National Association of Counties and National Association of County Engineers found that 72,000 local bridges across the country are unable to safely handle 91,000-pound trucks and that it would cost \$61 billion to replace them; and

WHEREAS, according to the USDOT even with a 6th axle distributing the load, 91,000-pound trucks would only pay for about 55% of their damage to roads and bridges; and

WHEREAS, since Congress last raised truck weights, the number of trucks registered in the U.S. and the miles they drive have increased by 91%; and

WHEREAS, Kingwood Township has numerous small bridges that currently cannot handle existing heavy trucks that are on our roadways; and

NOW, THEREFORE, BE IT RESOLVED that the Kingwood Township Committee hereby opposes H.R. 3372 and calls upon it's federally elected representatives to oppose this legislation, and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to U.S. Representative Tom Kean, U.S. Senators Robert Menendez and Cory Booker.

It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to adopt the foregoing Resolution. **All** voted **Aye** on **Roll Call Vote**.

Discussion/Approval of Resolution #2023-12 Support of Assembly Bills 975 and 264

RESOLUTION NO. 2023 – 122

Supporting Assembly Bill No. 975 and Senate Bill No. 2643 Requiring Certain Commercial Motor Vehicles to be Equipped with Global Positioning Systems

WHEREAS, bipartisan Assembly Bill No. 975 sponsored by Assemblyman John DiMaio and Assemblyman Daniel Benson would require a commercial motor vehicle operating upon the public highways of this State, to be equipped with a global positioning system navigation program that provides information about upcoming highway infrastructure with low vertical clearance and weight restrictions and dynamic route directions that account for commercial motor vehicle restrictions; and

WHEREAS, the legislation defines a “commercial motor vehicle” as a select group of vehicles with a gross vehicle weight rating of 26,001 or more pounds, or that display a gross vehicle weight rating of 26,001 or more pounds; and

WHEREAS, commercial motor vehicles have restricted routes of travel that are not readily displayed on civilian navigation systems that are sometimes used by operators of commercial motor vehicles; and

WHEREAS, because of limited information on civilian navigation systems, commercial motor vehicle operators often unintentionally end up on restricted weight roadways or have stopped along their route by a restricted weight bridge; and

WHEREAS, Hunterdon County has sustained damages to roadways and bridges as a result of overweight trucks traveling on them; and

WHEREAS, unless identified by a camera, or law enforcement personnel, Hunterdon County taxpayers are on the hook for the cost of repairs to infrastructure damaged by large trucks; and

WHEREAS, this legislation is also important given the number of historic bridges, culverts, and downtowns located throughout Hunterdon County that cannot accommodate large commercial vehicles and cause considerable disruption to local traffic flow.

NOW, THEREFORE, BE IT RESOLVED, that the Kingwood Township Committee does hereby support Assembly Bill No. 975 and Senate Bill No. 2643; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to members of the 23rd Legislative District.

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt the foregoing Resolution. **All** voted **Aye** on **Roll Call Vote**.

Hunterdon Land Trust re: Prendes Parcel BI 33 L 13.01

It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to approve potential soft costs of \$1950 to be paid by the Township in regard to the Prendes Parcel at Block 33 Lot 13.01. **All** voted **Aye** on **Roll Call Vote**.

Best Practices On-Line Platform

Ms. Laudenbach reviewed several of the questions with the committee members.

OLD BUSINESS

Route 29 Alexauken Creek Road Pavement Reconstruction and Drainage Improvement

Mr. Riggio noted he has not seen this come up on the agenda of the Environmental Commission, and he will refer the matter of possible environmental impacts along Route 29 in the Township to them.

Discuss Volunteer Insurance Activity Report

Following discussion it was agreed Mr. Riggio will forward the draft to Att’y. Moscagiuri for his review and comments.

Request for Pre-application Meeting with NJDEP re: Muddy Run Road

Mayor Russano read aloud an update on the above, received from Township’s Engineer. Mr. David Frank was still present at the meeting and requested he be notified of any upcoming meetings as he does have a civil engineer on retainer who will need to attend these meetings.

BILLS AND CLAIMS

It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to approve the bills and claims that are in order in the amount \$955,216.85.

Roll Call Vote: **AYE – Riggio, Syrnick, Russano**

NAY – None
ABSTAIN – None
ABSENT - None

EXECUTIVE SESSION – Resolution No. 2023-123

Att’y. Moscagiuiri commented for the public that action may be taken when the committee members return to regular session and the closed session is expected to take approximately 30 minutes. It was moved by Ms. Syrnick, seconded by Mr. Riggio and carried to adopt the following Resolution, and **All** voted **Aye** on **Roll Call Vote**:

RESOLUTION NO. 2023 –123
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:
Personnel Matters
Litigation
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.

RETURN TO REGULAR SESSION

It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to exit the closed session. **All** voted **Aye** on **Roll Call Vote**.

The committee was in Executive Session from approximately 9:30PM-10:00PM.

Action on Items from Executive Session

The following resolution was introduced:

NOT ADOPTED

RESOLUTION NO. 2023 – 124
Reappointment of Acting Clerk / Registrar

WHEREAS, commencing on October 17, 2022, Tiffany Crivelli was appointed to serve as Acting Municipal Clerk and Registrar, with the appointment continuing through October 17, 2023; and

WHEREAS, pursuant to N.J.S.A 40A:9-133(c) within 90 days of the occurrence of a vacancy in the office of municipal clerk by reason of the departure of a registered municipal clerk, the governing body may appoint a person who does not hold a registered municipal clerk certificate to serve as Acting Municipal Clerk, for a period not to exceed one year, commencing on the date of the vacancy; and

WHEREAS, Tiffany Crivelli has the qualifications to serve as the Acting Municipal Clerk and Registrar, has served as the Acting Municipal Clerk and Registrar since her appointment, and the Township Committee seeks to extend her appointment; and

WHEREAS, the New Jersey Department of Community Affairs approves the appointment.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Kingwood in the County of Hunterdon, State of New Jersey, that Tiffany Crivelli is hereby reappointed to serve as Acting Municipal Clerk and Registrar commencing on October 17, 2023 and continuing through October 17, 2024.

It was moved by Ms. Syrnick to adopt the foregoing resolution. There was no second to the motion, so resolution not adopted.

Authorization to Advertise Position

It was moved by Mr. Riggio, seconded by Ms. Syrnick and carried to authorize the advertisement for the positions of Municipal Clerk and Registrar. **All** voted **Aye** on **Roll Call Vote**.

ADJOURNMENT

It was moved by Ms. Syrnick seconded by Mr. Riggio and carried to adjourn the meeting at 10:02PM. **All** voted **Aye** on **Roll Call Vote**.

Meeting Recorded by
Diane Laudenbach, Special Deputy Clerk