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July 14, 2005

A Special Meeting of the Kingwood Township Committee was called to order at 7:45 P.M. with Mayor Rawlyk presiding.

Also present at the meeting were Deputy Mayor Burke, Committeeman Zdepski, Attorney W. Sutphen, C.F.O. Laudenbach, Clerk MacConnell, Deputy Clerk Brown. Following the salute to the Flag Mayor Burke read aloud the following:

### **NOTICE REQUIREMENTS**

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act by publication of the notice in the Delaware Valley News on July 7, 2005 and by telefaxing copies of the notice to the Express Times, Courier News and Star Ledger on July 5, 2005. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on July 5, 2005.

In order to ensure full public participation in this meeting, all members of this Committee or Board, and also members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

### **DISPOSITION OF TOWNSHIP PROPERTY BLOCK 19 LOT 5**

Mayor Rawlyk requested for the C.F.O. D. Laudenbach work up a cost figure of what the Township has invested in the property so far. The Township closed on the property two weeks ago. Mrs. Laudenbach handed out a sheet with the information requested. There was a lengthy discussion on the apartments located on the property. Mr. Burke explained that he spoke with one of the tenants currently renting on the property. The tenant expressed there is no heat in the bathroom of the apartment and that the owner of the property has taken the heaters with him. Mr. Burke noted that by winter time there needs to be a heater installed into the bathroom so that the pipes do not freeze.

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Attorney Sutphen reviewed the deeds and what has been done and what needs to be done to complete the ownership. Also discussed was the possibility of auctioning several acres of the property. Mr. Burke explained the conditions of the buildings. There was a lengthy discussion of many options for the property. There were suggestions of farming several acres or using the units for COAH units. The Committee members would like to obtain appraisals for the seven acres on the lot.

### **COAH**

Housing Officer Joseph Abel was present. He explained the update on COAH. He stated the Township had one year of grace under round two, however, under new rules of round three we have to get round two units completed to get our round three approved. Mr. Abel explained the ordinance which is to be introduced at the August Township Committee meeting. He also noted that he would like to see the Township zoned for senior housing or assisted living. He explained that the round three is being worked on by COAH Attorney E. Halpern and Planner D. Banisch.

Mr. Burke expressed he would like an appraisal on the seven acres lot. Also would like to bring the Ukariish units up to code. It was discussed that Mr. Burke, Mr. Abel and Mr. Degan, the Construction Official would inspect the rental units on the property.

### **LETTER FROM CFO RE: LEGAL BILLS**

Clerk MacConnell reviewed. Committeeman Zdepski noted that an emergency appropriation can be made for legal expenses.

### **NATIONAL FISH AND WILDLIFE FOUNDATION GRANT APPLICATION**

Mayor Burke reviewed. He stated he is willing to serve as representative. Committeeman Zdepski asked Mr. Burke to explain to him what a watershed is all about.

Mr. Burke responded and explained it is a planning tool for the Township, and that several Townships in the area are participating. Mr. Zdepski feels strongly against the matter and feels that the Township should not participate in this project.

It was moved by Mr. Burke, Mayor Rawlyk stepped down from the chair to second the motion to approve for the Township to participate in the National Fish and Wildlife Foundation Grant Application.

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Burke, Rawlyk</b>
	<b>NAY</b>	<b>- Zdepski</b>
	<b>ABSTAIN</b>	<b>- None</b>
	<b>ABSENT</b>	<b>- None</b>

**COMMUNITY DAY FIREWORKS PERMIT - RESOLUTION NO. 2005-72**

The following Resolution was introduced:

**RESOLUTION NO. 2005 - 72**

**September 17, 2005 FIREWORKS DISPLAY**

**WHEREAS**, the Kingwood Township Parks & Recreation Committee has scheduled "Kingwood Day at the Park" on September 17, 2005; and

**WHEREAS**, the Kingwood Township Parks & Recreation Committee plans various activities for the day and wishes to display fireworks for the community to help enjoy this day; and

**WHEREAS**, Garden State Fireworks has submitted a certificate of insurance with the Township named as additional insured; and

**WHEREAS**, the Kingwood Township Volunteer Fire Company No. 1, and the Kingwood Township First Aid & Rescue Squad will be standing by at the scene;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that approval is given for the fireworks display on September 17, 2005, rain date September 18, 2005, on the Kingwood Park property located at 200 Union Road, known as Block 19 Lot 8 in Kingwood Township, New Jersey.

**BE IT FINALLY RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the Mayor and Clerk are hereby authorized to execute and enter into an agreement with Garden State Fireworks, Inc. and execute the application for a fireworks permit from the State of New Jersey.

It was moved by Mr. Burke, seconded by Mr. Zdepski and carried to approve Kingwood Township Community Day Fireworks Permit and to adopt the Foregoing Resolution.

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Burke, Zdepski, Rawlyk</b>
	<b>NAY</b>	<b>- None</b>
	<b>ABSTAIN</b>	<b>- None</b>
	<b>ABSENT</b>	<b>- None</b>

**ORDINANCE**

**ORDINANCE NO. 13-08-2005 AMENDING CHAPTER 115 OF THE CODE OF THE TOWNSHIP, ENTITLED "SUBDIVISION OF LAND" AND CHAPTER 132 ENTITLED "ZONING" TO ADD THE REQUIREMENT THAT APPLICANTS FOR SUBDIVISION AND SITE PLAN APPROVAL SATISFY THE REQUIREMENTS OF THE BOARD OF HEALTH NON-PUBLIC WATER SYSTEMS AND WELL REGULATIONS** - Introduction and adoption on First Reading

Mayor Rawlyk read the Ordinance aloud which was introduced. There was a suggestion from the Attorney Sutphen to add the fees to the ordinance and to have a professional review by a Hydrologist. Mr. Zdepski recommended adding the fees and then it could be amended later. He also recommended to inform the Board of Health with the results of well tests and hydrology reports. It was suggested that the Planning Board Attorney be contacted about this so the Planning Board could review before final adoption in August.

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It was moved by Mr. Zdepski, seconded by Mr. Burke and carried to adopt on first reading **AN ORDINANCE AMENDING CHAPTER 115 OF THE CODE OF THE TOWNSHIP, ENTITLED "SUBDIVISION OF LAND" AND CHAPTER 132 ENTITLED "ZONING" TO ADD THE REQUIREMENT THAT APPLICANTS FOR SUBDIVISION AND SITE PLAN APPROVAL SATISFY THE REQUIREMENTS OF THE BOARD OF HEALTH NON-PUBLIC WATER SYSTEMS AND WELL REGULATIONS.**

Roll Call Vote:            **AYE**            - Burke, Zdepski, Rawlyk  
                                 **NAY**            - None  
                                 **ABSTAIN**      - None  
                                 **ABSENT**       - None

Consideration of final adoption at a public hearing is scheduled for Tuesday, August 2, 2005 at a meeting beginning at 8:00 P.M. at the municipal building.

**LIST OF PROPERTIES FROM TAX ASSESSOR**

Mr. Burke discussed a list of properties he obtained from the Tax Assessor to get an idea of the value of these properties. Copies of the list were given to all Committee members to review in regard to the property on Route 29, which the Township currently owns.

**RESOLUTION**

**EXECUTIVE SESSION - RESOLUTION NO. 2005 - 73**

Following a brief recess, at approximately 9:30 P.M., the following Resolution was introduced to enter and amend into closed session:

**RESOLUTION NO. 2005 - 73**

**WHEREAS**, Section 7 of the Open Public Meetings Act, Chapter 231 P.L. 1975 (R.S.10:4-13) permits the exclusion of the public from a meeting or a portion of a meeting of this public body in certain circumstances; and

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

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

1. The public shall be excluded from the meeting or a portion of a meeting at which this public body discusses the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

**Litigation - Revaluation**

3. The time when the circumstances under which the discussions conducted in closed session of this public body can be disclosed to the public is as follows:

**The minutes of the closed session will be made public upon Conclusion, dismissal or settlement of litigation; or final Resolution of agreements or personnel matters; and in any Event, when appropriate pursuant to N.J.S.A. 10:4-7 and - 13.**

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

It was moved by Mr. Zdepski, seconded by Mr. Burke and carried to adopt the foregoing Resolution.

<b>Roll Call Vote:</b>	<b>AYE</b>	<b>- Burke, Zdepski, Rawlyk</b>
	<b>NAY</b>	<b>- None</b>
	<b>ABSTAIN</b>	<b>- None</b>
	<b>ABSENT</b>	<b>- None</b>

**RETURN TO REGULAR SESSION**

It was moved by Mr. Zdepski, seconded by Mr. Burke and carried to return to regular session at 9:43 P.M. **All** voted **Aye** on **Roll Call Vote**.

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It was moved by Mr. Zdepski, second by Mr. Burke and carried to adjourn the meeting at 9:44 P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully Submitted,

Cynthia L. Brown, RMC  
Deputy Clerk