

2007 - 19

January 2, 2007

A Regular Meeting of the Kingwood Township Committee was called to order at 8:00 P.M. with Mayor Burke presiding.

Also present at the meeting were Deputy Mayor Augustine, Committeewoman Niemann, Attorney J. Kopen, Engineer T. Decker, C.F.O. Laudenbach, Clerk MacConnell, and 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 and the Express Times on December 28, 2006 and by telefaxing copies of the notice to the Courier News and Star Ledger on December 26, 2006. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on December 26, 2006.

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.

VISIT WITH ROBERT WALSH - SUPERINTENDENT DELAWARE VALLEY REGIONAL HIGH SCHOOL AND CHRIS SHARKEY - BOARD OF EDUCATION BUSINESS ADMINISTRATOR/SECRETARY

Mayor Burke introduced Delaware Valley Regional High School Superintendent Robert Walsh. Mr. Walsh spoke to all as part of an outreach effort. Also introduced was Chris Sharkey, Business Administrator and two members of the Board of Education, Joseph Strasser and Leslie Callanan.

Mr. Walsh gave an update on the addition which was approved in 2003. He stated that 22% percent of the students attending are from Kingwood Township and a total of one thousand eleven are currently enrolled. He provided the Township with a copy of their audit report and thanked the Township Committee for their support and looked forward to a good working relationship.

CORRESPONDENCE

Mayor Burke reviewed the correspondence received this month.

Information Session on the Highlands Council Draft Regional Master Plan at the Freeholder Assembly Room at 71 Main Street, Flemington, NJ beginning at 5:00 P.M. on January 16, 2007.

Mayor Burke reviewed memo for information session.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2007 - 06

2006 RESERVE BUDGET APPROPRIATION TRANSFERS

BE IT RESOLVED, by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to make the following transfers within the 2006 Reserve Budget Appropriations:

From:

Roads - Salary and Wages \$ 2,000.00

To:

Administrative & Executive - Other Expense	\$	300.00
Construction - Other Expense	\$	200.00
Utilities - Fuel Oil	\$	1,500.00

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt the foregoing Resolution.

Roll Call Vote:

AYE	-	Augustine, Niemann, Burke
NAY	-	None
ABSTAIN	-	None
ABSENT	-	None

BILLS AND CLAIMS

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to approve and pay bills and claims that are in order and attached as **Bill List** for **January 2006**.

Roll Call Vote:

AYE	-	Augustine, Niemann, Burke
NAY	-	None
ABSTAIN	-	None
ABSENT	-	None

PUBLIC COMMENT - PRIVILEGE OF THE FLOOR

Jack MacConnell-Spring Hill Road would like the Township to do a survey for 25 mph speed limit on Spring Hill Road and Horseshoe Bend Road. Also would like to see the bicycle signs up on the same roads. Mr. MacConnell would like to know the cost of the renovations in the municipal offices, and would like to see an ordinance passed to stop ATV's from driving on the roads and fields. Mr. MacConnell suggested contacting the State Police to patrol and watch after the ATV's.

Sandra McNichol - Oak Grove Road Stated speaking with residents of Oak Grove Road and said they do not want the road widened. It was discussed that the Township has funds for Section 1B, but was unsuccessful last year. She also suggested looking into repairing other roads in the Township. Mayor Burke responded.

REPORTS

Mayor Burke noted the following have been received and are available for review:

Municipal Court Report of November 2006
Zoning Permits Report of December 2006

FUTURE MEETINGS AND ACTIVITIES

Mayor Burke reviewed as per the Agenda.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2007 - 04

TEMPORARY CAPITAL BUDGET

WHEREAS, the Capital Budget for the year 2007 has not been adopted, and

WHEREAS, it is the desire of the Township to provide for their share of the acquisition of farmland preservation land described as Block 26, Lot 27 & 27.03.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the following temporary budget be adopted for the Township of Kingwood:

**TEMPORARY CAPITAL BUDGET OF THE TOWNSHIP OF KINGWOOD
COUNTY OF HUNTERDON, NEW JERSEY
PROJECTS SCHEDULE FOR 2007**

Project	Estimated Total Cost	Planned Funding Services for Current year 2007
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2007 - 23

Township's share of
 Acquisition of farmland
 Preservation in land being
 Undertaken through cost sharing
 With the New Jersey State Agricultural
 Development Committee and the County of
 Hunterdon - Block 26, Lots 27 and 27.03
\$67,793.0 \$67,793.00

3 Year Capital Program - 2006 - 2008

Project	Estimated Total Cost	Estimated Completion Time	Planned Funding Services for Current year 2007
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Township's share of Acquisition of farmland Preservation in land being Undertaken through cost sharing With the New Jersey State Agricultural Development Committee and the County of Hunterdon - Block 26, Lots 27 and 27.03	\$67,793.00	Acquire 2007	\$67,793.00
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3 Year Capital Program - 2006 - 2008

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Project	Estimated Total Cost	Grants in Aid & other Funds
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Township's share of Acquisition of farmland Preservation in land being Undertaken through cost sharing With the New Jersey State Agricultural Development Committee and the County of Hunterdon - Block 26, Lots 27 and 27.03	\$67,793.00	\$67,793.00
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BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt the foregoing Resolution.

Roll Call Vote:	AYE	- Augustine, Niemann, Burke
	NAY	- None
	ABSTAIN	- None
	ABSENT	- None

ORDINANCE

ORDINANCE NO. 14-02-2007 Providing For The Township's Share of Acquisition Of Farmland Preservation In Land Being Undertaken Through Cost Sharing With The NJ State Agriculture Development Committee And County Of Hunterdon, Appropriating \$67,793.00 Therefore From the Township Municipal Open Space Trust Fund - Introduction and Adoption on First Reading.

Mayor Burke read Ordinance aloud by title.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt on first reading **AN ORDINANCE PROVIDING FOR THE TOWNSHIP'S SHARE OF ACQUISITION OF FARMLAND PRESERVATION IN LAND BEING UNDERTAKEN THROUGH COST SHARING WITH THE NJ STATE AGRICULTURE DEVELOPMENT COMMITTEE AND COUNTY OF HUNTERDON, APPROPRIATING \$67,793.00 THEREFORE FROM THE TOWNSHIP MUNICIPAL OPEN SPACE TRUST FUND.**

ROLL CALL VOTE:	AYE	-Augustine, Niemann, Burke
	NAY	-None
	ABSTAIN	-None
	ABSENT	-None

Consideration of final adoption at a public hearing is scheduled for Tuesday, February 6th, 2007 at a meeting beginning at 8:00 P.M. at the Municipal Building.

RESOLUTIONS

The following Resolution was introduced:

RESOLUTION NO. 2007 - 05

PUBLIC WORKS DEPARTMENT SALARIES FOR 2007

WHEREAS, Ordinance No. 14-01-2006 contains the Salary Range for the Public Works Employees for the year 2007;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the following salaries are established for the year 2007:

Jack Search	\$ 37.80
Mark Petro	\$ 28.67
J. Barry Ewing	\$ 27.03
David Zyck	\$ 25.50
Walter Cotier	\$ 25.50
Ryan Osborne	\$ 25.50

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt the foregoing Resolution.

Roll Call Vote: AYE - Augustine, Niemann, Burke
 NAY - None
 ABSTAIN - None
 ABSENT - None

The following Resolution was introduced:

RESOLUTION NO. 2007- 07

HOUSING OFFICER SALARY

WHEREAS, Ordinance No. 14-1-2007 contains the Salary Range for the Housing Officer for the year 2007;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the following salaries are established for the year 2007:

Joseph Abel	\$ 35,000.00
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It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt the foregoing Resolution:

2007 - 26

Roll Call Vote: **AYE** - **Augustine, Niemann, Burke**
 NAY - **None**
 ABSTAIN - **None**
 ABSENT - **None**

The following Resolution was introduced:

RESOLUTION NO. 2007- 08

**A RESOLUTION APPOINTING TOWNSHIP PROFESSIONALS
AND AUTHORIZING THE AWARD OF FAIR AND OPEN
CONTRACTS FOR TOWNSHIP PROFESSIONALS**

WHEREAS, the Township of Kingwood has a need to acquire professional services of Township Professionals as set forth below in Paragraph No. 1, by way of fair and open contracts pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Township published in the official newspaper of the Township requests for proposals for the positions of Township Attorney, Planning Board Attorney, Zoning Board of Adjustment Attorney, Engineer, Auditor, Planner, and Bond Counsel for the year 2007; and

WHEREAS, proposals were received, opened and thereafter reviewed by the Township Committee; and

WHEREAS, the Township Committee has determined to award the contracts set forth in paragraph No. 1 below through a fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.;, and

WHEREAS, the Township of Kingwood purchasing agent has determined and certified in writing that the value of each acquisition will exceed \$17,500, excepting the position of Bond Counsel, which shall not exceed \$17,500; and

WHEREAS, the anticipated term of each contract is as set forth below in Paragraph No. 1; and

WHEREAS, each of the Township professionals set forth below in Paragraph No. 1 has submitted a proposal indicating each will provide the professional services described below in Paragraph No. 1 for the amount set forth in each submitted proposal; and

WHEREAS, a certification of availability of funds, specifying the line item appropriation(s) to be charged as to each contract set forth below in Paragraph No. 1 has been provided by the Chief Financial Officer of the Township of Kingwood.

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

1. The Mayor and Clerk are hereby authorized to execute a contract with each of the following Professionals as described below:

Professional	Position	Term of Contract
Judith A. Kopen, Gebhardt & Kiefer, P.C.	Township Attorney	One year
David R. Pierce	Planning Board	One year
David R. Pierce	Attorney Zoning Board of Adjustment	One year
	Attorney	One year
Thomas R. Decker, Gilmore & Associates	Township Engineer	One year
William Colantano	Township Auditor	One year
David Banisch	Township Planner	One year
Andrea L. Kahn	Township Bond Counsel	

2. A copy of this resolution shall be published in the Delaware Valley News and the Express Times as required by law, within ten days of its passage.

It was moved by Mrs. Augustine, seconded by Mrs. Nieman and carried to adopt the foregoing Resolution with additional amendments and corrections.

Roll Call Vote: **AYE** - **Augustine, Niemann, Burke**
 NAY - **None**
 ABSTAIN - **None**
 ABSENT - **None**

NEW BUSINESS

BOND ISSUE

C.F.O. Laudenbach approached the Township Committee asking their permission to go out to bid for a Bond Anticipation Note with Bond Council, McManimon & Scotland LLC. After a brief discussion with the Committee members, the Committee authorized C.F.O. Laudenbach to pay down one ninth of the debt being \$725,000.00.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to approve C.F.O. Diane Laudenbach to go out to bid with Bond Council, McManimon & Scotland LLC. for a Bond Anticipation Note for the year 2007.

Roll Call Vote: **AYE** - Augustine, Niemann, Burke
 NAY - None
 ABSTAIN - None
 ABSENT - None

OLD BUSINESS

N/A

MINUTES

It was moved by Mrs. Augustine, Mayor Burke stepped down from the Chair, second the motion and carried to adopt the minutes of the October 31, 2006 Special Township Committee Meeting and place on file.

Roll Call Vote: **AYE** - Augustine, Burke
 NAY - None
 ABSTAIN - Niemann
 ABSENT - None

It was moved by Mrs. Augustine, Mayor Burke stepped down from the Chair, second the motion and carried to adopt the minutes of the November 7, 2006 Regular Township Committee Meeting and place on file.

Roll Call Vote: **AYE** - Augustine, Burke
 NAY - None
 ASTAIN - Niemann
 ABSENT - None

It was moved by Mrs. Augustine, Mayor Burke stepped down from the Chair, second the motion and carried to adopt the minutes of the November 7, 2006 Executive Session and place on file.

Roll Call Vote: **AYE** - Augustine, Burke
 NAY - None
 ABSTAIN - Niemann
 ABSENT - None

It was moved by Mrs. Augustine, Mayor Burke stepped down from the Chair, second the motion and carried to adopt the minutes of the December 5, 2006 Regular Meeting with the following corrections to the minutes: Under Public Comment - Irving MacConnell, Spring Hill Road asked for the list of members which serve on the sub-committee of the Planning Board. It listed in the December 5, 2006 minutes, Planning Board Chairman, Township Attorney, Planning Board Attorney, and Township Engineer. It was noted by Mr. Burke that Steven Zdepski was also a member of the Planning Board sub-committee, which was not on the list under the Public Comment asked by Mr. MacConnell of the December 5, 2006 minutes.

Roll Call Vote: **AYE** - **Augustine, Burke**
 NAY - **None**
 ABSTAIN - **Niemann**
 ABSENT - **None**

It was moved by Mrs. Augustine, Mayor Burke stepped down from the Chair, second the motion and carried to adopt the minutes of the December 2006 Executive Session and place on file.

Roll Call Vote: **AYE** - **Augustine, Burke**
 NAY - **None**
 ABSTAIN - **Niemann**
 ABSENT - **None**

EXECUTIVE SESSION - RESOLUTION NO. 2007 - 09

Following a brief recess, at approximately 8:40 P.M., the following Resolution was introduced to enter into closed session:

EXECUTIVE RESOLUTION NO. 2007 - 09

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:

**Personnel - Proposed Employee Request Form
Dental Benefits**

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 Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt the foregoing Resolution.

Roll Call Vote:	AYE	- Augustine, Niemann, Burke,
	BYE	- None
	ABSTAIN	- None
	ABSENT	- None

RETURN TO REGULAR SESSION

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to return to regular session at 9:42 P.M. **All** voted **Aye** on **Roll Call Vote**

ORDINANCE

ORDINANCE NO. 14-01-2007 AN ORDINANCE FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY - Introduction and Adoption on First Reading

Mayor Burke read the Ordinance aloud by title.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt on first reading with amendments **AN ORDINANCE FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY.**

ROLL CALL VOTE:

AYE	- Augustine, Niemann, Burke
NAY	- None
ABSTAIN	- None
ABSENT	- None

Consideration of final adoption at a public hearing is scheduled for Tuesday, February 6th, 2007 at a meeting beginning at 8:00 P.M. at the Municipal Building.

It was discussion whether to develop a form for employees to fill out when requesting to take a day or leave of absence.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to authorize C.F.O.,D. Laudenbach to develop a form for employees to fill out for leave of absence. **All voted Aye on Roll Call Vote.**

RESOLUTION

RESOLUTION NO. 2007 - 10

AUTHORIZING THE AWARD OF CONTRACTS FOR THE RETENTION OF A LAND SURVEYOR AND A WETLAND ECOLOGIST CONSULTANT FOR THE TOWNSHIP

WHEREAS, the Township of Kingwood has a need to retain the services of a Land Surveyor as a Consultant on behalf of the Township; and

WHEREAS, the Township has obtained a price quotation to perform a Property Survey and a Wetlands Location Report in regard to Block 19 and Lots 5 and 5.01 in the Township and has determined that Heritage Consulting Engineers possesses the qualifications; and

WHEREAS, funds are available for these purposes and Certificates of Availability have been filed by the Chief Financial Officer with the Township Clerk in accordance with the Local Budget Law;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that Heritage Consulting Engineers is hereby awarded the Agreement to perform a Property Survey and a Wetlands Location Report in regard to Block 19 Lots 5 and 5.01 in the Township in an amount not to exceed \$6900.00. This award is subject to the execution of an Agreement in a form satisfactory to the Township Attorney and once approved, the Mayor and Clerk are hereby authorized and directed to execute the said Agreement on behalf of the Township of Kingwood.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt the foregoing Resolution.

Roll Call Vote: **AYE - Augustine, Niemann, Burke**
 NAY - None
 ABSTAIN - None
 ABSENT - None

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adjourn the meeting at 9:46 P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Cynthia L. Brown, RMC
Deputy Clerk