

July 9, 2007

A Regular Meeting of the Kingwood Township Committee was called to order at 6:06 P.M. with Mayor Burke presiding.

Also present at the meeting were Deputy Mayor Augustine, Committeewoman Niemann, Attorney Kopen, C.F.O. D.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 June 14, 2007 and by telefaxing copies of the notice to the Courier News and Star Ledger on June 12, 2007. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on June 12, 2007.

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.

Mayor Burke began the meeting by explaining that the Committee would enter into closed session at the beginning of the meeting. This is so the residents would not have to wait till the end of the meeting for an answer from the Committee in reference to their taxes. Mr. Burke also asked if anyone had any questions before the Committee entered into closed session.

Mark Siegel - Owner of the Discount Auto Parts on Route 12

Mr. Siegel stated in May of 2006 he found out his taxes were mailed to someone else. He paid all of his taxes in full up to date. He spoke to the tax collector about the interest that had accumulated from the time the taxes were due until he paid them in full. He then spoke to the tax assessor explaining his situation and she said she would take care of the interest and he would not have to pay since it was sent to the wrong address. The tax assessor did not take care of removing the interest for Mr. Siegel. Mr. Siegel decided to come and explain his situation to the Township Committee.

The Township Committee will respond to Mr. Siegel after returning from closed session.

EXECUTIVE SESSION - RESOLUTION NO. 2007 - 71

At approximately 6:05 P.M., the following Resolution was introduced to enter into closed session:

RESOLUTION NO. 2007 - 71

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
Pending Litigaton**

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
 NAY - 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 6:22 P.M. **All** voted **Aye** on **Roll Call Vote**.

RESOLUTIONS

The following Resolution was introduced:

RESOLUTION NO. 2007 - 72

2006 TAX REFUNDS

WHEREAS, NJSA 54:4-99 and 54:4-100 provide that a governing body of a municipality may make such abatement, revision, alteration, adjustment and settlement of any past due taxes and other municipal charges, both of principal and interest and penalties as it shall deem equitable and just and in the best interest of the municipality; and

WHEREAS, NJAA 54:4-100 specifically provides that no abatement of a principal sum of any such taxes, assessment or other municipal charges shall be made unless the governing body shall, among other reasons, be satisfied that the taxes, assessments or other municipal charges are illegal in whole or in part, or unless the proceedings taken to levy and enforce them are contrary to law; and

WHEREAS, assessor's errors occurred on the below listed lots involving premature assessment of rollback taxes; and

WHEREAS, it is equitable and just and in the best interest of the municipality to correct any mistakes in the assessment process which are brought to its attention in a timely fashion;

WHEREAS, due to an assessor's error, several parcels of property have overpaid their taxes for 2006 and are due a refund:

Block 9, Lot 15 Q0085

Zultanski, C. c/o Mark Richardson - Omitted -	\$ 1,896.31
Int. Pd -	\$ 2,756.94
Aug. 06 -	\$ 4,804.84
Nov. 06 -	\$ 4,726.33
Int. Pd.-	\$ 370.58
Feb. 06	
Int. Pd -	\$ 115.36
Penalty -	\$ 2,160.45
Int. Pd -	\$ <u>132.87</u>
Total:	\$16,963.68

Block 29, Lot 22 Q0243

Pauch, William and Barbara - Omitted -	\$ 17,183.24
Int. Pd.-	\$ 1,863.64
Penalty -	\$ 1,068.14
Int. Pd -	\$ <u>89.19</u>
Total:	\$ 20,204.21

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 treasurer be authorized to refund to Zultanski, C., c/o Mark Richardson, P.O. Box 154, Baptistown, New Jersey, 08803, the amount of \$16,963.68 and to William and Barbara Pauch, 607 County Road 519, Frenchtown, New Jersey, 08825, the amount of \$20,204.21.

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 - 73

TAX CANCELLATIONS

WHEREAS, NJSA 54:4-99 and 54:4-100 provide that a governing body of a municipality may make such abatement, revision, alteration, adjustment and settlement of any past due taxes and other municipal charges, both of principal and interest and penalties as it shall deem equitable and just and in the best interest of the municipality; and

WHEREAS, NJAA 54:4-100 specifically provides that no abatement of a principal sum of any such taxes, assessment or other municipal charges shall be made unless the governing body shall, among other reasons, be satisfied that the taxes, assessments or other municipal charges are illegal in whole or in part, or unless the proceedings taken to levy and enforce them are contrary to law; and

WHEREAS, assessor's errors occurred on the below listed lots involving premature assessment of rollback taxes; and

WHEREAS, it is equitable and just and in the best interest of the municipality to correct any mistakes in the assessment process which are brought to its attention in a timely fashion;

WHEREAS, due to an assessor's error the following real estate taxes for 2006 are cancelled:

Block 25, Lot 5.02 Q0458 -		
	Omitted	\$ 3,498.31
	August 2006	\$ 1,908.06
	November 2006	\$ 1,908.06
Block 9, Lot 15 Q0085 -		
	Omitted	\$ 30,123.95
	August 2006	\$ 4,804.85
	November 2006	\$ 4,804.84
	Penalty	\$ 2,160.45
Block 29, Lot 22Q0243 -		
	Omitted	\$ 17,183.24
	Penalty	\$ 1,068.14

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Tax Collector be authorized to cancel the above real estate taxes.

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 - 74
CANCELLATION OF PENALTY

WHEREAS, NJSA 54:4-99 and 54:4-100 provide that a governing body of a municipality may make such abatement, revision, alteration, adjustment and settlement of any past due taxes and other municipal charges, both of principal and interest and penalties as it shall deem equitable and just and in the best interest of the municipality; and

WHEREAS, NJAA 54:4-100 specifically provides that no abatement of a principal sum of any such taxes, assessment or other municipal charges shall be made unless the governing body shall, among other reasons, be satisfied that the taxes, assessments or other municipal charges are illegal in whole or in part, or unless the proceedings taken to levy and enforce them are contrary to law; and

WHEREAS, due to an outstanding balance over \$10,000 at year end, 2006, the following properties were assessed a year end penalty, and

WHEREAS, the Township negotiated a settlement with the owners of Block 12, Lot 31 and Block 14, Lot 30 which resulted in a Tax Court judgment; and

WHEREAS, the judgment, despite being negotiated prior to year end, had not yet been entered by year end by the Tax Court; and

WHEREAS, a tax court judgment has been entered and the owners of the properties did pay the adjudged amount prior to year end.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee, Township of Kingwood, County of Hunterdon and State of New Jersey, that the tax collector be authorized to cancel the year end penalty, as follows:

Block 12, Lot 31	-	\$ 849.72
Block 14, Lot 30	-	\$ 8,188.62
Block 6, Lot 24	-	\$ 662.79

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt the foregoing Resolution, adding a refund of \$662.79 on block 6 Lot 24.

Roll Call Vote:

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

Mr. Oleg Kourilovitch - Block 25, Lot 5.02 stood up and expressed his thanks to the Township Committee for correcting the problem, but he has had additional extra expenses from his attorney, his bank and days missed from work. Attorney Kopen responded to him by telling him the Township has taken action that they are authorized to take by statute. The Township has no authority to take any further action.

Deputy Mayor Augustine introduced, Keith Augustine her grandson, who is now a boy scout in Kingwood Township and he is here to observe the meeting for work towards eagle scout.

CORRESPONDENCE

Letter and Info NJDEP re: Grants and Loans for Homeowners and Commercial Property Owners for UST Remediation and Removal

Mayor Burke reviewed letter and expressed that he would like this to be posted on the web site.

Letter and Sample Resolution from Assemblyman DeCroce re: Support of Budget Plan and Property Tax Relief

Mayor Burke reviewed with Committee members. Mr. Burke suggested that the Township support this Budget Plan and Property Tax Relief. All Committee members agreed.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2007 - 77

**RESOLUTION IN SUPPORT OF ASSEMBLY REPUBLICAN
BUDGET PLAN AND PROPERTY TAX RELIEF**

WHEREAS, New Jersey has the highest property taxes in the United States; and

WHEREAS, property taxes have increased by an average of 36 percent statewide in the past five years with many towns experiencing annual increases of 10 or more percent; and

WHEREAS, the ever-increasing property tax burden is making it difficult for families to afford living in our communities and is particularly troublesome for seniors living on fixed incomes; and

WHEREAS, all of these factors have made it legitimate to call the current situation a property tax crisis; and

WHEREAS, it is the responsibility of Legislature to address problems of this magnitude; and

WHEREAS, state spending has increased by \$9.8 billion since 2002; and

WHEREAS, there have been numerous audit reports, investigations and newspaper stories highlighting wasteful and unnecessary state spending.

NOW, THEREFORE, BE IT RESOLVED that we urge the New Jersey State Legislature to adopt a plan put forth on June 6, 2007 by Assembly Republican leaders to cut \$1.5 billion in wasteful and unnecessary state spending from the Governor's FY2008 budget, and channel those savings into an additional \$1 billion in property tax relief and \$300 million in additional school aid.

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, concede that property tax relief should take the form proposed by the Assembly Republican budget plan with all taxpayers receiving a minimum 20 percent reduction and seniors and families earning under \$200,000 receiving a 30 percent cut.

BE IT FINALLY RESOLVED, that a certified copy of this resolution shall be sent to Governor Jon Corzine, Senate President Richard Codey, Senate Minority Leader Leonard Lance, Assembly Speaker Joseph Roberts, Assembly Minority Leader Alex DeCroce and the legislators representing our legislative district.

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

Letter from Assemblywoman Karrow re: Garden State Preservation Trust Fund

Mayor Burke reviewed.

BILLS AND CLAIMS

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to approve and pay the bills and claims that are in order and attached as **Bill List** for **July** 2007.

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

PUBLIC COMMENT - PRIVILEGE OF THE FLOOR

Jack MacConnell, Spring Hill Road - Commented about the algae in the Kingwood pond and recommended a product to use to help eliminate the algae. Also feels it is necessary to have a lifesaving ring hanging near the pond for safety. Mr. MacConnell requested and would like to have the speed limit lowered on Spring Hill Road and Horseshoebend Road to 25 miles per hour.

REPORTS

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

Tax Collector's Report of April 2007 and May 2007
Municipal Court Report of May 2007
Construction Department Reports of June 2007
Zoning Permits Report of June 2007
Township Engineer's Monthly Report

FUTURE MEETINGS AND ACTIVITIES

Mayor Burke reviewed as per the Agenda.

There was a discussion on the date of the Township Committee meeting scheduled in the month of November. The Township Committee has decided to change the meeting date due to the meeting being scheduled on the same date as the general election. It makes it a very long day for the Township Clerk.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to change the Township Committee Meeting scheduled on Tuesday, November 6, 2007 to Monday, November 5, 2007.

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

Request from Representative Holt for Meeting Place

Mayor Burke suggested a meeting to be held here in Kingwood Township on Saturday, August 4, 2007 at 10:00 A.M.

ORDINANCESORDINANCE NO. 14-16-2007 TO PROVIDE FOR THE RESURFACING OF
ROADS AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND
APPROPRIATING \$28,000.00 FROM THE CAPITAL IMPROVEMENT FUND
VOL 14, PG. 14-16 - Public Hearing and Final Adoption

Mayor Burke read Ordinance aloud by title. This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on June 5, 2007. The Ordinance was published in the Delaware Valley News on June 14, 2007 and has been posted in the Kingwood Township Municipal building on June 6, 2007. Copies of the Ordinance have been available for inspection by the public since June 6, 2007.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to open the hearing to the public. **All voted Aye on Roll Call Vote.**

Public Comments:

No Comments

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to close the public comment portion of the hearing. **All voted Aye on Roll Call Vote.**

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt on final reading **AN ORDINANCE TO PROVIDE FOR THE RESURFACING OF ROADS AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$28,000.00 FROM THE CAPITAL IMPROVEMENTFUND.**

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

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2007 - 66

WHEREAS, the Township of Kingwood desires to constitute the 2007 Capital Budget of said municipality by inserting therein the authorization for providing for the purchase of municipal equipment;

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

SECTION 1. The 2007 Capital Budget of the Township of Kingwood, County of Hunterdon, State of New Jersey is hereby constituted by the adoption of a schedule to read as follows:

Capital Budget of the
Township of Kingwood
County of Hunterdon, New Jersey
Project Schedule for 2007

REPAVING OF A PORTION OF UNION ROAD

Project	Estimated Cost	Method of Financing Capital Improvement Fund
Repaving of a portion of Union Road	\$42,800.00	\$42,800.00

SECTION 2. The Clerk be and is authorized and directed to file a copy of this Resolution with the Division of Local Government Services, State of New Jersey, within three days after the adoption of this project for 2007 Capital Budget, to be included in the 2007 permanent Capital Budget.

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. 14-17-2007 TO PROVIDE FOR THE RESURFACING OF UNION ROAD AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$42,800.00 FROM THE CAPTIAL IMPROVEMENT FUND

Introduction and Adoption on First Reading.

Mayor Burke read the Ordinance aloud which was introduced.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt on first reading **AN ORDINANCE TO PROVIDE FOR THE RESURFACING OF UNION ROAD AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$42,800.00 FROM THE CAPTIAL IMPROVEMENT 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, August 7, 2007 at a meeting beginning at 8:00 P.M. at the municipal building.

RESOLUTIONS

The following Resolution was introduced:

Mayor Burke explained that he was present at the Eagle Scout Ceremony and presented Sean Callanan with a certificate which he composed himself and framed.

RESOLUTION NO. 2007-67

WHEREAS, Kingwood Township Boy Scout Troop 251 of the Boy Scouts of America is a vibrant community asset with a long history of shaping and molding young boys into becoming productive, moral leaders in our society, and Troop 251 continues to undertake numerous service projects benefitting our residents and our Municipality; and

WHEREAS, Sean Callanan began his involvement in scouting as a Tiger, then bear, wolf, weblo 1 & 2, passing through the Cub Scout ranks through the arrow of light and leading to his becoming a Boy Scout in Troop 251 of Kingwood Township; and

WHEREAS, Sean Callanan has distinguished himself as a Boy Scout with special awards of Community Service for Hurricane Katrina relief efforts; and

WHEREAS, Sean Callanan undertook and successfully completed an Eagle Scout leadership project consisting of over 200 man-hours, in which he landscaped the front of the Delaware Valley Regional High School, including installing white picket fencing, red stone, trees, shrubs and plants; and

WHEREAS, on June 23, 2007, a Court of Honor convened for the purposes of bestowing upon Sean Callanan the highest honor of scouting, after which, and for the rest of his life, Sean Callanan would carry the title of EAGLE SCOUT; and

WHEREAS, EAGLE SCOUT Sean Callanan has joined the ranks of a select fraternity of Eagle Scouts in our Nation, including Presidents, elected Representatives, Clergymen, Doctors, Lawyers, and business and world leaders.

NOW, THEREFORE, BE IT RESOLVED on this 9th day of July, 2007, by the Mayor and Township Committee of the Township of Kingwood, that on behalf of the Governing Body and the residents of our community, we congratulate and honor with great pride,

EAGLE SCOUT SEAN CALLANAN

BE IT FURTHER RESOLVED, that on behalf of a thankful community, we appreciate the work and support of Eagle Scout Sean Callanan's parents, Scout Leaders, and fellow Boy Scouts.

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 - 68

**AMENDMENT TO KINGWOOD TOWNSHIP 2007 PIG
HARING FARM BLOCK 12 LOT 33.01**

WHEREAS, the Township of Kingwood, County of Hunterdon, State of New Jersey submitted a Planning Incentive Grant (PIG) Application for the 2007 Round to the State Agriculture Development Committee (SADC) in January, 2006; and

WHEREAS, the application included the Kocsis Farm at Block 6 Lot 31.02; and

WHEREAS, the Kocsis Farm has now been preserved under the Traditional Program; and

WHEREAS, the Township of Kingwood has recommended a substitution;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to recommend the Haring Farm, a 58.96 acre parcel located at Block 12 Lot 33.01; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to hereby formally request to amend their PIG 2007 Application to substitute the Haring Farm in place of the Kocsis Farm.

It was moved by Mrs. Niemann, seconded by Mrs. Augustine 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 - 69

September 15, 2007 FIREWORKS DISPLAY

WHEREAS, the Kingwood Township Parks & Recreation Committee has scheduled "Kingwood Day at the Park" on September 15, 2007; 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 15, 2007, rain date September 16, 2007, 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 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:
Mayor Burke explains the following Resolution.

RESOLUTION NO. 2007 - 70

A RESOLUTION REQUESTING AN EXTENSION FROM NJDOT

WHEREAS, on February 2, 2006, NJDOT awarded Kingwood Township with a State Municipal Aid Allotment of \$80,000 for Oak Grove Road, Section IA in a Force Account; and

WHEREAS, the award stipulated that the project be awarded by the Township within 12 months of the award; and

WHEREAS, on January 19, 2007, NJDOT awarded Kingwood Township with a State Municipal Aid Allotment of \$71,000 for Oak Grove Road, Section IB in a Force Account; and

WHEREAS, the award stipulated that the project be awarded by the Township within 18 months of the award; and

WHEREAS, the proposed improvements impact wetlands areas along the roadway, and discharges are proposed within the Special Resource Protection Areas of a Category 1 Stream; and

WHEREAS, NJDEP permits have yet to be obtained regarding the wetlands and discharge issues; and

WHEREAS, it is estimated that the required permits may not be received until July 31, 2008; and

WHEREAS, due to the permitting and seasonal weather delays, pavement may not be placed until December 31, 2008; and

WHEREAS, Kingwood Township therefore needs an extension from the NJDOT as to the award date of the projects for both Section IA and Section IB of Oak Grove Road by the Township in relation to the State Municipal Aid Allotments of \$80,000 and \$71,000, respectively, for a total State Municipal Aid Allotment of \$151,000.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Kingwood, County of Hunterdon, that the Township of Kingwood hereby requests from NJDOT that the date of award for both projects by Kingwood Township regarding Oak Grove Road, Sections IA and IB improvements for which State Municipal Aid Allotments totaling \$151,000 have been awarded be extended until December 31, 2008.

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

NEW BUSINESS

Notification from Teamsters Local Union 469 - Expiration of Labor Agreement

The Committee members discussed a tentative date to meet with the Teamsters Local Union representative, and the Public Works Foreman Mark Petro. It has been decided to set a date of August 7, at 7:00 P.M. Clerks office to contact Foreman and Teamster's Representative to have a Special Committee meeting to discuss a new two year agreement.

APPLICATION NO. 2007 -03 FOR RAFFLES LICENSE

The Committee members reviewed raffle license application for a raffle with the Woman's Club of Flemington to be held at Razberry's Banquet Center on October 26, 2007 at 2:00 P.M. It was determined everything was in order. This will be sent to the Games of Chance Control Commission for approval

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to approve the findings and determination for raffle license no. 2007 - 03.

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

APPLICATION FROM KT FIRE COMPANY FOR SOCIAL AFFAIR PERMIT

The Committee members reviewed a social permit application for a requested affair with the Kingwood Township Fire Company to be held at the Kingwood Township Fire Co. location on Rt. 519 on August 25, 2007 at 2:00 P.M. to 8:00 P.M. It was determined that everything was in order. This will be sent to the Department of Law and Public Safety, Division of Alcoholic Beverage Control for final approval.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to approve the findings and determination for social affair permit application.

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

REQUEST FOR CHANGE OF INSURANCE AGENT

Mayor Burke read aloud the information. Mrs. Niemann explained that the Township is still waiting for more information. This will be scheduled be on the agenda for the August Township Committee meeting.

COMMERCIAL AND INDUSTRIAL COMMITTEE APPOINTMENT

No volunteers as of this date.

HEATING OIL, DIESEL & GASOLINE QUOTATIONS

Mayor Burke reviewed quotes that were received.

The items to be quoted upon were:

- | | | |
|---------------|----------------------------|--|
| <u>Item 1</u> | #2 Heating Oil | approximately 2,000 gallons at
municipal garage - 288 Barbertown
Kingwood Station Road
approximately 8,000 gallons at
municipal garage - 255 Union Road
approximately 2,000 gallons at
municipal building
approximately 1,400 gallons at
municipal park
approximately 1,000 gallons at
910 County Road 519 |
| <u>Item 2</u> | Diesel Fuel | approximately 8,000 gallons at
municipal garage |
| <u>Item 3</u> | Super Unleaded
Gasoline | approximately 300 gallons at
municipal garage |

#1 Heating Oil

Able Energy	Total per gallon	2.399 net
County Line Fuel	Total per gallon	2.078 net
Skylands Energy	Total per gallon	2.3010 net
Stem Brothers	Total per gallon	2.249 net

#2 Diesel

Able Energy	Total per gallon	2.2592
Skylands Energy	Total per gallon	2.5465
Stem Brothers	Total per gallon	2.295

#3 Gasoline

Able Energy	Total per gallon	2.4925
Skylands Energy	Total per gallon	2.8810
Stem Brothers	Total per gallon	2.664

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to choose the lowest over all quotes for Heating Oil, Diesel Fuel and Super Unleaded Gasoline. Stem Brothers Inc. was chosen for the services.

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

POLITICAL FUNDRAISERS AND SOLICITORS

It was discussed whether the Township should pay for fundraisers dinners or social events for Township officials to attend. Mayor Burke said that the Township will not be paying for social events or fundraisers dinners. This will be the responsibility of the Township official to pay for these events.

HUNTERDON HUMANE ANIMAL SHELTER

Mayor Burke reviewed the updated information on the shelter. He will forward this information packet to all the surrounding Mayors of the local towns, and a list of all the violations that are occurring in support to help. A resolution will be adopted next month to support the animal shelter.

RESOLUTION FROM TOWNSHIP OF CLINTON RE: ASSEMBLY & SENATE BILLS PROVIDING FOR COUNTY OFFICES FOR DISABLED.

Mayor Burke explained that Hunterdon County is in need of offices for the disabled employees and would like support of a resolution from all the municipalities in Hunterdon County.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2007 - 75

**SUPPORTING ASSEMBLY BILL 1707 AND SENATE BILL 1522, PROVIDING UP TO
\$20,000 TO ESTABLISH A NEW OFFICE OR HELP MAINTAIN AN EXISTING OFFICE
FOR THE DISABLED IN EVERY COUNTY
IN THE STATE OF NEW JERSEY**

WHEREAS, Assembly Bill 1707 and Senate Bill 1522 respond to a need long identified by people who have a disability and their families - answering those needs by creating a partnership between State and County in the same manner as currently exists between the State and County Offices on Aging; and

WHEREAS, the Bills would provide up to \$20,000.00 to establish a new office or help maintain an existing office for the disabled in every county in the State of New Jersey; and

WHEREAS, dating back to 1976, the need for county Offices for the Disabled continues to rank among the top 4 needs of people with disabilities, along with the need to develop better systems of services;

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

1. That the Mayor and Township Committee hereby supports Assembly Bill 1707 and Senate Bill 1522 to provide for the establishment and support of County Offices for the Disabled in all 21 New Jersey Counties.
2. That the Mayor and Township Committee hereby joins with the New Jersey Association of County Disability Services, New Jersey Area Agencies on Aging Association, New Jersey Council on Special Transportation, New Jersey Casino Revenue Fund Advisory Commission and disabled residents and their families, among others, in urging placement on the Legislature Agenda for passage in 2007.
3. That a copy of this Resolution shall be forwarded to Governor Jon Corzine, Senator Leonard Lance, Senator Robert Littell, Assemblywoman Marcia Karrow, Assemblywoman Alison McHose, Assemblyman Michael Doherty, and Assemblyman Guy Gregg.

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

RESOLUTION FROM MONROE TOWNSHIP COUNCIL RE: ABBOTT-BURKE REFORM

Mayor Burke reviewed the Resolution. He expressed he is in favor of supporting this reform. All Committee members agreed.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2007-76

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF KINGWOOD IN SUPPORT OF STATE LEGISLATION TO AMEND ABBOTT-BURKE FUNDING TO STREAMLINE ADMINISTRATION OF A MORE THOROUGH AND EFFICIENT EDUCATION THROUGHOUT THE STATE OF NEW JERSEY

WHEREAS, there has been great discussion throughout the Garden State regarding Abbott-Burke funding for deprived school districts within the State of New Jersey; and

WHEREAS, there have been attempts to discuss amendments to the legislation in order to guarantee a quality of education throughout the State of New Jersey; and

WHEREAS, in order to implement fair and equitable distribution of school funding to provide an equal and adequate education and regionally equalized property tax throughout the State, it would be necessary to undertake a comprehensive study of Abbott-Burke funding; and

WHEREAS, while the special needs of Abbott district students are recognized, Non-Abbott district residents should not be made to substantially supplement the normal, fair and usual property tax burden of Abbott district residents. Henceforth, the property tax burden of Abbott district residents should be adjusted to reflect the normal, fair and usual property tax burden within the surrounding region; and

WHEREAS, the New Jersey State Constitution, as well as State statute, calls for a thorough and fair education for all students, while the Abbott ruling is predicated in part upon the assumption that the children in the poorest districts deserve the same expenditure per student as the more fortunate districts; and

WHEREAS, together these funding procedures appear to be inherently discriminatory since the Abbott ruling substantially ignores all Non-Abbott districts where expenditures per student fall below the richest districts; and

WHEREAS, the Abbott ruling appears to be inherently discriminatory in qualifying only urban districts, subsequently ignoring potentially needy rural/suburban districts; and

WHEREAS, finally, the Abbott Program fails to meet the real academic needs of the district it serves inasmuch as these districts remain on the program indefinitely; and

WHEREAS, the Township of Kingwood urges all other municipalities and school districts to act upon Resolutions calling for an overall revamping of the Abbott-Burke qualification program to provide supplementary funding without discrimination to all districts; and

WHEREAS, the Township Committee of the Township of Kingwood requests that there be more accountability from the school administrators and contractors within the Abbott districts. Those administrators and contractors found guilty or responsible for the misuse of funds shall be prosecuted to the fullest extent of the law; and

WHEREAS, the Township Committee of the Township of Kingwood supports one hundred percent State funding for State mandated programs for all districts; and

WHEREAS, all programs implemented should be focused to measure progressively improving test scores within a five year mandatory period and provide for the termination under the Abbott-Burke funding for failure to demonstrate measured success and improvement during the program; and

WHEREAS, once again, the Township of Kingwood, County of Hunterdon, State of New Jersey hereby implores all municipalities within the State of New Jersey and all school districts within the State of New Jersey and all school districts within the State of New Jersey to pass legislation imploring that the State of New Jersey immediately convene a study of the Abbott-Burke Funding Program in order to guarantee a more thorough and efficient non-discriminatory education for all of the students within the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Kingwood, urges all entities to act upon said legislation as soon as possible and forward copies of the same to Governor Jon S. Corzine, the New Jersey Department Education and County of Hunterdon and State of New Jersey to their respective New Jersey State legislators.

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

Roll Call Vote:	AYE	- AUGUSTINE, NIEMANN, BURKE
	NAY	- NONE
	ABSTAIN	- NONE
	ABSENT	- NONE

CALO PROPERTY

Mayor Burke explains that a real estate appraiser came out to appraise the property. He explained the property and house it is worth \$200,000 currently, fixed up it would be worth \$300,000. Mr. Burke presented this to Mr. Calo and asked if he would be willing to donate this to the Township. Mr. Calo is unable to do this, but asked if possible, if the Township could deduct his taxes for the property. Mr. Burke does not think this is a good idea and stated this will not happen. He would like it to become a COAH unit eventually. Mr. Burke will speak further with Mr. Calo about the house and property.

MINUTES

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt the minutes of the June 5, 2007 Regular Meeting and place on file.

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 adopt the minutes of the June 5, 2007 Executive Session and placed on file. **It should be noted that the minutes of executive sessions shall be held as closed until officially released by the Township Committee.**

Roll Call Vote:

AYE	- Augustine, Niemann, Burke
NAY	- None
ABSTAIN	- None
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 15, 2006 Special 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 and carried to adopt the minutes of the December 15, 2006 Executive Session at 11:50 A.M. and place on file. **It should be noted that the minutes of executive sessions shall be held as closed until officially released by the Township Committee.**

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 and carried to adopt the minutes of the December 15, 2006 Executive Session at 2:46 P.M. and place on file. **It should be noted that the minutes of executive sessions shall be held as closed until officially released by the Township Committee.**

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 27, 2006 Special Meeting and place on file.

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

It was moved by Mayor Burke and carried to adopt the minutes of the July 14, 2005 Special Meeting and placed on file.

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

It was moved by Mayor Burke and carried to adopt the minutes of the July 14, 2005 Executive Session and placed on file. **It should be noted that the minutes of executive sessions shall be held as closed until officially released by the Township Committee.**

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

At approximately 7:09 P.M. It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to return to the Executive Session.

Roll Call vote:	AYE	- Augustine, Niemann Burke
	NAY	- 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 8:03 P.M. **All** voted **Aye** on **Roll Call Vote**.

The rental units and tenants that are currently renting from the Township were discussed. They reviewed some items that the renters still need to submit to the Township. Mayor Burke asked the clerk to call the renters and ask them for renters insurance to be submitted to the Township.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adjourn the meeting at 8:05 P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully Submitted,

**Cynthia L. Brown, RMC
Deputy Clerk**