

August 7, 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 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 January 11, 2007 and by telefaxing copies of the notice to the Courier News and Star Ledger on January 9, 2007. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 9, 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.

REQUEST FOR CHANGE OF INSURANCE AGENT

The Township is due to renew the insurance coverage this January 1, 2008. A proposal was received from Mrs. Lisa Pfenninger to provide agent services to the Township, as well as comparable information from our current agent, Herder-Tarricone Associates. Mr. Chris Tarricone, from Herder-Tarricone Associates was present and gave a summary of services they would provide. He commented on the State encouraging participation in joint insurance commitment. Mayor Burke asked several questions about cost savings for the Township. Mr. Tarricone will provide additional quotes from alternate sources. The Committee members will request Lisa Pfenninger to do the same.

CONSTRUCTION OFFICIAL

On Monday, August 6, 2007 the Committee members sent a Rice Notice to the Township's Construction Official Wayne Degan. Mr. Degan had the option to be discussed during executive session or open session. He chose open session and was present. Mayor Burke explained that the Township Committee has been concerned whether the construction department was suffering due to no evening hours for the public. The Committee spoke with Mr. Degan asking whether he had any idea when he could resume his normal evening hours. Mr. Degan's doctor sent a note which stated that Mr. Degan is not ready to work evening hours. He still is having trouble with his leg and ankle and he needs to rest it by evening. Mr. Degan explained that all the work and inspections are being done. Committeewoman Niemann stated that she would like Mr. Degan to be available by phone during the hours he is serving Kingwood Township. She also requested that he be diligent about promptly returning phone calls. Mr. Degan's doctor will be in contact with the Township as to when he will be able to return back to his evening hours.

CORRESPONDENCE

Letter from State DEP re: Green Acres Grants and Loans Applications

Mayor Burke briefly reviewed.

Letter from Assemblyman DeCroce re: Resolution Opposing "Asset Monetization"

Mayor Burke briefly reviewed

Letter and Application from NJ Department of Agriculture re: Gypsy Moth

Mayor Burke reviewed letter from the State of New Jersey. Sandra McNicol a resident who was present at the meeting, briefly discussed her knowledge of the gypsy moth problem. The Township Committee agreed to have the Department conduct a gypsy moth egg mass survey for Kingwood Township.

Copy of Letter from Readington Township re: PSE&G
Vegetation Management Policy

Mayor Burke briefly reviewed.

Letter from Meals on Wheels re: Need for Volunteers

Mayor Burke reviewed flyer from Meals on Wheels. The Committee would like the information to be posted on the web site, and also posted in the municipal building.

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 **August** 2007.

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

PUBLIC COMMENT - PRIVILEGED OF THE FLOOR

Sandra McNicol, Oak Grove Rd. - Suggested that the meals on wheels flyer be posted at the Old Municipal Bldg. for the seniors that would be interested in volunteering. Committeewoman E. Niemann suggested forwarding the notice to the Delaware Valley High School for students that may be interested in community service.

REPORTS

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

- Tax Collector's Report of June 2007 and July 2007
- Municipal Court Report of June 2007
- Construction Department Report of July 2007
- Zoning Permits Report of July 2007

2007-191

Township Engineer's Monthly Report

No written report was received from the Township Engineer. Mayor Burke reported that he met with Township Engineer Tom Decker about the drainage problems at Milltown Road.

Mold and Radon Tests

There was a lengthy discussion on the status of the mold in the municipal building. The test results showed that existing mold levels are not harmful to the health of the employees. Mayor Burke explained ways he would like to clean up the mold areas. There was a discussion about the foyer area of the basement. The Committee members would like to replace the carpeted area with tile due to water damage. Committeewoman Elaine Niemann would like the Township to hire a handyman to do repairs for the Township.

EPA 5 Year Review Report DeRwal Superfund Site

Committee members briefly reviewed.

Hunterdon Humane Animal Shelter 2nd Qtr 2007

Briefly reviewed by Committee members.

FUTURE MEETINGS AND ACTIVITIES

Mayor Burke reviewed as per the Agenda.

ORDINANCE

ORDINANCE NO. 14-10-2007 TO PROVIDE FOR THE RESURFACING OF UNION ROAD AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AND APPROPRIATING \$42,80.00 FROM THE CAPITAL 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 OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AND APPROPRIATING \$42,80.00 FROM THE CAPITAL 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, September 4, 2007 at a meeting beginning at 8:00 P.M. at the municipal building.

ORDINANCE

ORDINANCE NO. 14-18-2007 AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A.40A:4-53 FOR THE PREPARATION OF A MASTER PLAN OR PLANS - Introduction and adoption on First Reading

Mayor Burke read the Ordinance aloud which was introduced.

C.F.O. Diane Laudenbach had a few questions for the Committee members about the amount they will need for the Master Plan. Mayor Burke responded. D. Laudenbach noted that if the Township should receive a grant, the grant proceeds could be used to offset the emergency appropriations. The appropriation could affect the Township's budget for the next five years.

It was moved by Mrs. Niemann, seconded by Mrs. Augustine and carried to adopt on first reading **AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A.40A:4-53 FOR THE PREPARATION OF A MASTER PLAN OR PLANS.**

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, September 4, 2007 at a meeting beginning at 8:00 P.M. at the municipal building.

RESOLUTIONS

The following Resolution was introduced:

RESOLUTION NO. 2007 - 78

**EXTENDING THE GRACE PERIOD OF THE PAYMENT OF THE THIRD
QUARTER 2007 REAL ESTATE TAXES**

WHEREAS, N.J.S.A. 54:4-66.3(d) requires that at least 25 days elapse between the time tax bills are mailed to the date taxes are due, and

WHEREAS, it is the desire of the Mayor and Township Committee of the Township of Kingwood to allow sufficient time for preparation and mailing of the 2007-2008 tax bills after the rate has been struck and for compliance with the statute first above cited.

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 grace period for the payment of the 3rd quarter 2007 property tax installments is extended to August 17, 2007 and any tax payments received after August 17, 2007, interest will be assessed from August 1, 2007.

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 No. 2007 Award of Road Maintenance Materials

The Clerk explained the quotes. Township Committee would like to speak with the Township Engineer and Public Works Supervisor before adopting a Resolution. A Resolution will be adopted at the August 14, 2007 Special Township meeting.

NEW BUSINESS

Quotations for Pest Control at Municipal Bldg & Old Fairview School

Township Clerk reported. The Committee would like the Clerk to find out if it is possible if only mice treatment is available. Committeewoman Niemann will follow up if this is not available.

OLD BUSINESS

Frenchtown Run LLC - Block 12 Lot 31 & Block 14 Lots 28.01 & 30

Mayor Burke reported receiving the appraisals. It will be approximately 8.5 million. Committee members will try to convince the County to participate. Mr. Burke will be meeting with representatives from the County to figure out how much they can contribute. Mr. Burke will prepare for a meeting with the Freeholders which is scheduled in August.

Hunterdon Humane Animal Shelter

Mayor Burke reported meeting with the surrounding town's Mayors to discuss the issue of neglect at the shelter. Mr. Burke handed out information, which consisted of pictures of animals, and lists of several incidents which have been reported at the shelter. The Committee members agreed to send a letter to the Hunterdon Humane Animal Shelter in reference to their contract and their obligations which should be met. The Township Clerk will send a letter and invite them to meet with the Township Committee along with the Dog License Official Sandra Siano, to address the concerns and issues.

MINUTES

It was moved by Mayor Burke and carried to adopt the minutes of the July 5, 2005 Regular 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 5, 2005 Executive Session and placed on file.

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

It should be noted that the minutes of executive sessions shall be held as closed until officially released by the Township Committee.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adopt the minutes of the July 9, 2007 Regular Meeting and place on file.

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

COURT ADMINISTRATOR

Clerk MacConnell handed out a memo from the Municipal Court in reference to Court Administrators and regulations of their appointment. Attorney Kopen will prepare a Resolution for next months meeting.

EXECUTIVE SESSION - RESOLUTION NO. 2007 - 79

Following a brief recess, at approximately 10:15 P.M., the following Resolution was introduced to enter into closed session:

RESOLUTION NO. 2007 - 79

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
Litigation
Pending Litigation**

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 10:45 P.M. **All** voted **Aye** on **Roll Call Vote**.

It was moved by Mrs. Niemann, seconded by Mrs. Augustine and carried to authorize Tax Collector Diane Laudenbach write a letter to Cynthia McBride, stating that the Township Committee has decided to allow Datatrace, to purchase an electronic copy of tax information from Vital Computer.

Roll Call Vote:

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

Committeewoman E. Niemann suggested that the Township Committee schedule a Special meeting in the fall to discuss personnel and an evaluation process for Township employees.

It was moved by Mrs. Augustine, seconded by Mrs. Niemann and carried to adjourn the meeting at 10:50 P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully Submitted,

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

