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**March 4, 2008
Regular Township Committee
Meeting Minutes**

A Regular Meeting of the Kingwood Township Committee was called to order at 7:02 P.M. with Mayor Augustine presiding.

Also present at the meeting were Committeewoman Niemann, Attorney Judith Kopen, C.F.O. D. Laudenbach, Clerk MacConnell and Deputy Clerk Brown. Following the salute to the Flag, Mayor Augustine 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 27, 2007 and by telefaxing copies of the notice to the Courier News and Star Ledger on December 27, 2007. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on December 20, 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.

CORRESPONDENCE

Memo and Resolution from Twp of Clinton re: Opposing Third Round Affordable Housing Rules and Letter from Various Municipalities Opposing Third Round Rules

The Committee members reviewed the resolution from Clinton Township and agreed to support the same for Kingwood Township.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2008 – 40

OPPOSING THIRD ROUND AFFORDABLE HOUSING RULES

WHEREAS, on December 17th, 2007 COAH made public its new proposal for the Third Round Affordable Housing Rules, and these regulations if adopted, will impose unreasonable requirements upon our municipality; and

WHEREAS, these regulations if adopted, will have a negative impact upon economic development within the State of New Jersey; and

WHEREAS, under the new proposal, our municipality is being required to plan for affordable housing based upon growth which is unlikely to occur, since COAH has used a flawed approach in calculating prospective growth; and

WHEREAS, under the new proposal, the large retroactive obligation will serve to undermine prior compliance efforts, requiring municipal property taxpayers to suffer a higher tax burden; and

WHEREAS, residential development generating such a high growth share obligation will create a shortfall that must be paid by property tax payers, since either the proposed Development fee, or the proposed Payments in lieu are insufficient to pay for municipal construction of units, as the proposal understates construction costs and overstates the average sale price of units; and

WHEREAS, Regional Contribution Agreements, increased to \$67,000 per unit with no commensurate funding source, will create a chilling effect upon this statutorily recognized compliance mechanism, which will harm rural, suburban and urban municipalities alike; and

WHEREAS, economic development will be negatively impacted by these aggressive Growth Share ratios, since Payment in lieu will add over \$25 per square foot to the cost of office construction; and

NOW, THEREFORE, BE IT RESOLVED that although the Kingwood Township Committee recognizes that Growth Share, as a concept, can work on a prospective basis if the ratios are reasonable and sustainable, it implores the members of the Council and the COAH staff to recognize that there is a limit to what municipalities and developers can be called upon to satisfy in terms of an affordable housing obligation; and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey respectfully asks COAH to reconsider these regulations since, as proposed, they will have a negative impact upon economic development in the Township and in the State as a whole, and will financially over-burden our Township's property taxpayers; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Senator Leonard Lance, Assemblyman Michael Doherty, Assemblywoman Marcia Karrow and the Hunterdon County Board of Chosen Freeholders and to surrounding municipalities.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

Resolution from East Amwell Twp. & from Borough of Beachwood re: Opposing Governor's Plan to Increase Tolls

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2008 - 41

**A RESOLUTION REQUESTING NEW STATE REGULATIONS
TO PERMIT LOCAL POLICE TO ENFORCE NEW TRUCKING
REGULATIONS AND THE CREATION OF FINANCIAL INCENTIVES
TO OFF-SET THE IMPACT OF NEW TOLL HIKES**

WHEREAS, the Governor of New Jersey has unveiled a fiscal plan for balancing the State budget that relies on periodic substantial annual increases in tolls on New Jersey's toll roads; and

WHEREAS, the operating characteristics of 102-inch wide trucks and double-trailer truck combinations (hereinafter called large trucks) require greater stopping distances and greater distances to maneuver; and

WHEREAS, the physical limitations of two-lane highways and local roadways other than the interstates (hereinafter called local roadways) do not offer a safe means of travel for large trucks; and

WHEREAS, the use by large trucks of local roadways poses a significant risk to the health, safety and welfare of the residents who live on and along these roads; and

WHEREAS, the use by large trucks of local roadways poses a substantial risk to the health, safety and welfare of the millions of school children being bused on these roads to and from schools on a daily basis; and

WHEREAS, the use by large trucks of local roadways poses a substantial risk to the millions of commuters on these roads each day; and

WHEREAS, motor vehicle accidents on State Highway Route 31 and State Highway Route 29 involving large trucks have resulted in numerous fatalities and injuries and substantial damage to property; and

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WHEREAS, random truck inspections by the NJ State Police have revealed that thirty-fiveⁱ to fifty-five percentⁱ of all trucks inspected have safety violations, and more than eighteen percentⁱ have violations so severe that they are immediately taken out of service; and

WHEREAS, since 9/11, the NJ State Police, properly focused on ensuring “homeland security”, have limited staff and resources to conduct truck inspections on local roadways; and

WHEREAS, given the number of strategic ports in the State and proximity to New York City, the NJ State Police does not have the manpower to conduct sufficient random inspections, resulting in an inadequate ability to conduct truck inspections; and

WHEREAS, given the number of its strategic ports, New Jersey serves as a point of origin for trucking based operations that serve the entire United States; and

WHEREAS, any regulation that does not encourage the use of the National Network, including the Turnpike, for the Interstate distribution of trucks will otherwise force trucks to use local County and Municipal roads; and

WHEREAS, the use by large trucks of undersized, local roadways causes an accelerated deterioration of those roadways and results in an economic burden to local municipalities who struggle on a regular basis to keep their roadway capital budget in check; and

WHEREAS, the Legislature has imposed budget CAP restrictions that severely limit a municipality’s ability to fund capital roadway repair projects; and

WHEREAS, in 1999, the New Jersey Department of Transportation (DOT) imposed a ban on the use of two-lane county and state highways by large trucks passing through the State; and

WHEREAS, the 1999 ban on large trucks resulted in a twenty² to forty-fiveⁱⁱ percent reduction in heavy trucking on Route 31 depending on the season; and

WHEREAS, on February 21, 2006 the 3rd Circuit Court of Appeals invalidated the 1999 ban; and

WHEREAS, in response, the DOT passed emergency regulations limiting the use by large trucks of New Jersey’s State, county and local roads; and

WHEREAS, the DOT has now proposed permanent trucking regulations that limit the ability of large trucks to use New Jersey’s State, county and local roads; and

WHEREAS, the new DOT truck regulations are intended to mitigate the risk to the public by encouraging large trucks to use only the interstate highways and other roads designated as part of the “National Network”, including the New Jersey Turnpike and Garden State Parkway, two of the toll roads slated for substantial increases under the Governor’s plan; and

WHEREAS, counter to the new truck regulations, the proposed increase in tolls will result in increased truck traffic on local roadways (an increase of anywhere between seven percentⁱⁱⁱ to thirty percent^{iv}); and

WHEREAS, this increase in truck traffic on local State, county and municipal roads will increase the risk to life, limb and property of local residents and the traveling public^v; and

WHEREAS, since the enactment of the DOT regulations are only part of the solution, a coordinated, regional approach to safety on local municipal roadways must be established.

NOW THEREFORE, BE IT RESOLVED on this 4th day of March, 2008, by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the Kingwood Township Committee call upon the Governor of the State of New Jersey and the New Jersey State Legislature to ensure that in order to meet the additional law enforcement burden imposed by these new regulations, enforcement powers (including safety, opacity [pollution] and weigh tests) should be granted to municipal law enforcement officers as they were prior to 1994, with appropriate training by the State, to stop and investigate trucks traveling through their municipalities to ensure compliance; and

BE IT FURTHER RESOLVED, that the Township urges the New Jersey State Police to increase the number of random roadside inspections of trucks throughout all communities, and that the State Police keep weigh stations open longer hours; and

BE IT FURTHER RESOLVED, that the State fund the installation of more roadside inspections in areas that receive disproportionate truck traffic resulting from these new regulations, and that where possible, the DOT combine rest stops and convenience services (food, directions, etc.) to encourage alert truck driving; and

BE IT FURTHER RESOLVED, that the Township encourages the Governor and the DOT to explore providing fiscal and other incentives for truck drivers and fleet owners with excellent safety records, such as a rebate of truck taxes, and expand incentives programs (e.g., toll reductions, reductions in fuel costs) that help keep large trucks on the “National Network”; and

BE IT FURTHER RESOLVED, that the Township encourages the Governor and the DOT to explore the installation of smart technology and/or in-road safety devices (such as reflectors along lane stripes) to keep trucks in lanes and prevent non-attentive driving; and

BE IT FURTHER RESOLVED, that the Township encourages the Governor and the DOT to install adequate signage to remind large trucks to remain on the “National Network” in keeping with the DOT regulations; and

BE IT FURTHER RESOLVED, that the Township encourages the Governor and the DOT to create additional funding sources to help municipalities make necessary repairs created by the accelerated deterioration of roadways and deal with the resulting economic burdens resulting from increased large truck traffic; and

BE IT FINIALLY RESOLVED, that the Township Clerk shall forward a copy of this Resolution to the Governor of New Jersey, the Commissioner of the New Jersey Department of Transportation, Senator L. Lance, Assemblyman Michael J. Doherty, Assemblywoman Marcia Karrow, Hunterdon County Board of Chosen Freeholders and to surrounding municipalities.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

RESOLUTION NO. 2008-34 - 2007 RESERVE BUDGET APPROPRIATION TRANSFERS

The following Resolution was introduced:

RESOLUTION NO. 2008 – 34

2007 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 2007 Reserve Budget Appropriations:

From Account	To Account	Amount
117-0009-299	117-0050-299	\$ 525.00
117-0009-299	117-0100-299	\$ 125.00
117-0009-299	117-0800-299	\$ 900.00

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

Roll Call Vote:

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

BILLS AND CLAIMS

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to approve and pay the bills and claims that are in order and attached as **Bill List** for **March 2008**.

Roll Call Vote:

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

APPROVAL TO PAY J. ZDRODOWSKI – Prep of Natural Hazard Mitigation Plan

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to approve payment to J. Zdrodowski.

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

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

N/A

REPORTS

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

Tax Collector's Report of January 2008 and February 2008
Municipal Court Report of January 2008
Construction Department Report of February 2008
Zoning Permits Report of February 2008
Township Engineer's Monthly Report

The Committee discussed the engineers report and would like to speak with Mr. Burke on the progress of the paper work, the approval for the work to be done and the funding for Thatcher Road before the work is to begin.

Animal Control Report of February 2008

The Township Committee reviewed and they are very pleased with the report.

Dog Licensing Report of February 2008

The Township Committee reviewed and they are very pleased with the report.

Elizabeth Town Gas Project

Clerk MacConnell reviewed the correspondence that has been received as of this date.

Municipal Building Repairs Update

C.F.O. Diane Laudenschlager reported that the Township has received three quotes from contractors for the municipal repair work.

FUTURE MEETINGS AND ACTIVITIES

Mayor Augustine reviewed as per the Agenda.

SCHEDULE BUDGET WORK SESSION WITH MR. COLANTANO

A special meeting will be scheduled for March 17, 2008 at 6:00 P.M. for the budget work session with the Township Auditor Bill Colantano.

ORDINANCES

**ORDINANCE NO. 15-06-2008 AMENDING ORDINANCE NO. 15-01-2008
FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS
OFFICERS AND EMPLOYEES OF THE TOWNSHIP VOL.15, PG.15-06– Public
Hearing and Final Adoption**

Mayor Augustine read Ordinance aloud by title. This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on the 4th day of February, 2008.

This Ordinance has been posted in the Kingwood Township Municipal building on February 5th, 2008. Copies of the Ordinance have been available for inspection by the public since February 5th, 2008.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to open the hearing to the public. **All voted Aye on Roll Call Vote.**

Public Comments: None

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to close the public comment portion of the hearing. **All voted Aye on Roll Call Vote.**

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt on final reading **AN ORDINANCE AMENDING ORDINANCE NO. 15-01-2008 FIXING THE SALARIES AND COMPENSATION OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE TOWNSHIP.**

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

ORDINANCE

ORDINANCE NO. 15-07-2008 TO AMEND THE TOWNSHIP’S DEVELOPMENT FEE ORDINANCE VOL.15, PG.15-07– Public Hearing and Final Adoption

Mayor Augustine read Ordinance aloud by title. This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on the 4th day of February, 2008.

This Ordinance has been posted in the Kingwood Township Municipal building on February 5th, 2008. Copies of the Ordinance have been available for inspection by the public since February 5th, 2008.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to open the hearing to the public. **All voted Aye on Roll Call Vote.**

Public Comments: None

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to close the public comment portion of the hearing. **All voted Aye on Roll Call Vote.**

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt on final reading **AN ORDINANCE TO AMEND THE TOWNSHIP’S DEVELOPMENT FEE ORDINANCE.**

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

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2008 – 35

TEMPORARY CAPITAL BUDGET

WHEREAS, the Township of Kingwood desires to constitute the 2008 Temporary Capital Budget of said municipality by inserting the Purchase of a Model T-6 Harley Tractor Rake.

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

Section 1. The 2008 Temporary Capital Budget of the Township of Kingwood is hereby constituted by the adoption of a schedule to read as follows:

Temporary Capital Budget of the Township of Kingwood, Hunterdon County, New Jersey

Projects Scheduled for 2008

Method of Financing

Project	Estimated Costs	Financing
Purchase of Model T-6 Harley Tractor Rake	\$ 6,750.00	Reserve for Purchase of Municipal Equipment

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services within three (3) days after the adoption of these projects for the 2008 Temporary Capital Budget, to be included in the 2008 Permanent Capital Budget as adopted.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

Roll Call Vote:

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

ORDINANCE

ORDINANCE NO. 15-08-2008 TO PROVIDE FOR THE PURCHASE OF MUNICIPAL EQUIPMENT AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$6,750.00 FROM THE CAPITAL IMPROVEMENT FUND RESERVE FOR PURCHASE OF MUNICIPAL EQUIPMENT VOL.15, PG.15-08– Public Hearing and Final Adoption

Mayor Augustine read Ordinance aloud by title. This Ordinance was introduced and adopted on first reading at a meeting of the Kingwood Township Committee on the 4th day of February, 2008.

This Ordinance has been posted in the Kingwood Township Municipal building on February 5th, 2008. Copies of the Ordinance have been available for inspection by the public since February 5th, 2008.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to open the hearing to the public. **All voted Aye on Roll Call Vote.**

Public Comments: None

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to close the public comment portion of the hearing. **All voted Aye on Roll Call Vote.**

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt on final reading **AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF MUNICIPAL EQUIPMENT AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP OF KINGWOOD IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AND APPROPRIATING \$6,750.00 FROM THE CAPITAL IMPROVEMENT FUND RESERVE FOR PURCHASE OF MUNICIPAL EQUIPMENT.**

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

RESOLUTIONS

The following Resolution was introduced:

RESOLUTION NO. 2008 - 36

RESOLUTION TO APPROVE RELEASE OF A PORTION OF A PERFORMANCE GUARANTEE

WHEREAS, Bunker Hill Homes, Inc. (Severino Homes), the owner of Block 22, Lot 17, also known as Laurelton-Belmont and located on Barberton-Point Breeze Road ("Property") submitted a Performance Guarantee consisting of both a cash deposit and a performance bond to the Township of Kingwood to guarantee completion of the improvements to the Property as required by the Planning Board; and

WHEREAS, the development has proceeded and Bunker Hill Homes, Inc. (Severino Homes) has requested that a portion of its posted performance guarantee be released, which release has been approved by the Township Engineer per the Engineer’s report dated December 14, 2007 with a continued retention of \$188,657.16 pursuant to N.J.S.A. 40:55D-53; and

WHEREAS, according to the further report of the Township Engineer dated February 27, 2008 and attached hereto as Exhibit A, the ongoing performance guarantee may be posted by the retention by the Township of a cash deposit totaling \$18,865.72, with the balance of \$169,791.44 posted in the form of a bond or approved letter of credit;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood that:

- (1) A portion of the Performance Guarantee supplied by Severino Homes for the Property may be satisfied by the retention by the Township of a cash deposit totaling \$18,865.72, with the remaining obligation being satisfied by a \$169,791.44 performance bond or approved letter of credit, for a total Performance Guarantee to be retained by the Township in the amount of \$188,657.16, according to the February 28, 2008 report of the Township Engineer; and
- (2) That all cash deposits in excess of \$18,865.72 be refunded to Severino Homes.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2008 – 37

RESCINDING OF RESOLUTION NO. 2008-30

WHEREAS, the relief granted in Resolution No. 2008-30 was granted by Resolution No. 2007-108.

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 Resolution No. 2008-30 is hereby rescinded.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2008 - 38

GYPSY MOTH PUBLIC NUISANCE

WHEREAS, the gypsy moth *Lymantria dispar*, has been found heavily defoliating tree and plant growth in the Township of Kingwood; and

WHEREAS, continued destruction of foliage may result in loss of valuable forest lands and trees; and

WHEREAS, the Township Committee of the Township of Kingwood has determined that a gypsy moth control program should be instituted with the State of New Jersey Department of Agriculture and that an application for any Federal or State funds available be authorized.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey that the gypsy moth is declared to be a public nuisance and the protection of vegetation or plant life there from is deemed to be a subject matter of public welfare, and that all measures deemed necessary, in compliance with the State of New Jersey Department of Agriculture recommendations, is hereby authorized to suppress this forest and shade tree pest.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

NEW BUSINESS

Authorize Purchase of Tractor Rake for DPW

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to award the bid to Mid State Equipment Co. Inc for the new Model T-6 Harley Tractor Rake for a price of \$6,248.00.

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

Authorize Sale of Old Township Garage – Kingwood Station Barbertown Road

Mrs. Niemann explained that the Township would like to prepare for auctioning off the property on Kingwood Station Barbertown Road, which is the old township public works garage. The property is 1.7 acres, zoned in village residential 2. Mrs. Niemann explained that Mr. Burke has obtained some information as to the site suitability for the sale, also that there was an underground storage tank that was removed and that there was no contamination. Mrs. Niemann stated that they were concerned about the possibility of other contaminations on the property since the public works used the property. She stated that Mr. Burke has contacted a company and did obtain a quote to do an evaluation on the site to determine whether there are any concerns. The Township may sell as is and leave it up to the buyer to decide whether they want to get this evaluated or not. Mrs. Niemann explained that there is a buyer who is interested who will be running a business from the property and will have to go to the Board of Adjustment for a variance, since it is not zoned commercial. It was determined the property could sell for \$230,000 - \$250,000 and that the minimum bid would start at \$200,000. Attorney Kopen suggested that the Committee speak to the Tax Assessor on the assessment of the property first before setting an amount. Attorney Kopen explained that an ordinance must be in place in order to sell the property. She noted that she would prepare all the documents for the preparation for the sale of the property. There was a discussion on the time frame for the introduction and final adoption for an ordinance. A lengthy discussion continued for the preparation of the sale.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to investigate the feasibility of selling the Township owned property of 288 Kingwood Station Barbertown Road, Frenchtown, NJ, formerly the old public works garage with a minimum bid of \$200,000. Also that we authorize the Township Attorney to determine the feasibility of such a sale within the time frame required before the next regularly scheduled Township Committee meeting, and prior to the regular monthly meeting which is scheduled in April, with the possibility of rescheduling the monthly meeting to prepare for the sale with a date to be determined.

Roll Call Vote:

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

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to tentatively schedule a special meeting of the Township Committee for Friday, March 7th, 2008 at 9:00 A.M., to introduce an ordinance for the sale of the property.

Roll Call Vote:

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

BOND ANTICIPATION NOTE SALE

C.F.O. D. Laudenbach commented that the sale will be on March 5, 2008 and will report the results at the next monthly meeting of the Township Committee in April.

SUPPORT OF LOCKATONG & WICKECHEOKE CREEK WATER RESOURCES PROTECTION

Mayor Augustine reported receiving a letter from Mr. Todd Kratzer, P.E., Senior Watershed Protection Specialist, from the New Jersey Water Supply Authority, and also a letter from the Township's Environmental Commission. The Committee authorized the Township Clerk to forward the letter from the Environmental Commission to Mr. Todd Kratzer.

COMMITTEE AND RECOMMENDATION FROM THE ENVIRONMENTAL COMMISSION

The Environmental Commission would like the Township Committee to consider adopting a Resolution in support of the Smart Growth Planning Assistance Grant project.

ADOPTION OF RESOLUTION TO SUPPORT APPLICATION FOR SMART GROWTH PLANNING GRANT

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2008 - 42

**ENABLING RESOLUTION
ANJEC GRANT PROPOSAL**

WHEREAS, the Association of New Jersey Environmental Commissions (“ANJEC”) provides grants to municipal governments and grants to nonprofit organizations for assistance in the development of land use regulations to protect and preserve the environment and natural resources and to reduce sprawl; and

WHEREAS, the Township of Kingwood desires to undertake a comprehensive review of Kingwood’s development regulations with respect to the protection of environmental features and natural resources and finds that it would further the public interest to apply to ANJEC for a grant to assist and help defray the costs of such an undertaking;

NOW, THEREFORE, the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey resolves that Mayor Margaret Augustine or the successor to the office of Mayor of Kingwood Township is hereby authorized to:

- (1) make application to ANJEC for a grant as set forth in the proposal presented to the Township Committee; and
- (2) provide additional information and furnish such documents as may be required to obtain such grant;

WHEREAS, ANJEC shall determine if the application is complete and in conformance with the scope and intent of ANJEC’s grant program, and notify the Township if the application for a grant will be granted and of the amount of the funding provided; and

WHEREAS, the applicant is willing to use ANJEC’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with ANJEC for the projects identified in the original grant application;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood Township:

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1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with ANJEC to effectuate any grant obtained as a result of the submission of the grant proposal approved by the Township Committee, and;
2. That the applicant has its matching share of the project, if a match is required, in the amount up to \$10,000.00.
3. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project;
4. That this resolution shall take effect immediately.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

CLEAN UP DAY PROGRAM PRICE QUOTATIONS

The Committee members reviewed all the quotes and it was decided that Raritan Valley was the lowest quotes.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to award Raritan Valley Disposal to participate in the Township Clean Up Program for 2008, May through October.

RECOMMENDATION FOR APPRAISER FOR PIG PROPERTY & RESOLUTION NO. 2008

The Committee members requested this to be on the agenda for the special meeting scheduled on March 7, 2008.

NEW RECORDING MACHINE FOR MUNICIPAL COURT

A letter of request from the Court Administrator for a new recording machine was reviewed by Mayor Augustine. Mrs. Niemann stated that due to the budget, it may not be possible to get a new machine this year. The Committee members would like to address this matter at the next Township Committee meeting in April.

PROPOSAL FROM MOJO PURE WATER

C.F.O D. Laudenbach reviewed the proposal from Mojo Pure Water Co. The Committee will look into this and compare prices with the current water company.

OLD BUSINESS

N/A

MINUTES

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the minutes of the February 4, 2008 Regular Meeting and place on file.

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

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the minutes of the February 4, 2008 Executive Session and place on file.

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

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

EXECUTIVE SESSION – RESOLUTION NO. 2008 - 39

Following a brief recess, at approximately 8:15 P.M., the following Resolution was introduced to enter into closed session:

RESOLUTION NO. 2008 - 39

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
Potential Litigation
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. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adopt the foregoing Resolution.

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

RETURN TO REGULAR SESSION

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion carried to return to regular session at 9:30 P.M. **All** voted **Aye** on **Roll Call Vote**.

MUNICIPAL COURT SECURITY OFFICER

After reviewing all the employment applications and resumes' for the employment of a Municipal Court Security Officer, the Committee came to a decision.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to hire George Kurzenknabe, of Whitehouse Station as Municipal Court Security Officer at a rate of \$28.50 an hour effective immediately. The next Court date is scheduled to be on Thursday, March 20, 2008.

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

OFFICE ASSISTANT POSITION

After a brief discussion and reviewing the employment of an office assistant, the Committee members came to a decision.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to hire Tiffany Auletta, as Office Assistant to the office of the C.F.O. Diane Laudenschach, effective immediately at a hourly rate of \$15.00 an hour. Mrs. Auletta will be reviewed for (60) days, then determined whether to be appointed for the rest of the year.

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

PARK DIRECTOR POSITION

There were interviews for a new park director on February 27, 2008 at a special meeting of the Parks and Recreation Committee. The Parks and Recreation members made a decision of who would be best for the position. They then recommended to the Township Committee that, Charles Wilson be appointed as the new Park Director effective April 1, 2008.

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to hire Charles Wilson as Park Director based on the recommendation of the Parks and Recreation Committee. Charles Wilson and his family will reside in the Kingwood Park home located on the grounds of the park, effective April 1, 2008, as part of his compensation for his duties of at least 40 hours per month, and to be paid an annual salary of \$2,575.00 a year.

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

It was moved by Mrs. Niemann, Mayor Augustine stepped down from the Chair second the motion and carried to adjourn the meeting at 9:32 P.M. All voted **Aye** on **Roll Call Vote**.

Respectfully Submitted,

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