

**May 6, 2008  
Regular Township Committee  
Meeting Minutes**

A Regular Meeting of the Kingwood Township Committee was called to order at 7:00 P.M. with Mayor Augustine presiding.

Also present at the meeting were Deputy Mayor Burke, Committeewoman Niemann, Attorney J. Kopen, C.F.O. D. Laudenschach, 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 January 10, 2008 and by telefaxing copies of the notice to the Courier News and Star Ledger on January 8, 2008. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on January 8, 2008.**

**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.**

Sergeant James Heitzman from the State Police Kingwood Station who is the Community Policing Program Officer for Kingwood Township was present at the meeting to find out if there was anything new in the Community that he should inquire about, and also if the Township Committee or any of the residents present, had any concerns or questions. There were no comments from the residents or the Committee members at this time. The Township Committee thanked Sergeant Heitzman for coming to the meeting.

**RECEIPT, OPENING BIDS FOR THE DPW EQUIPMENT**

The prior Township garage, which is located on Kingwood Station Barbertown Road was sold recently. There are two items from the property that the Township would like to sell. The items for sale were published in the Express Times on April 24, 2008 and May 1, 2008, also in the Delaware Valley News on April 24, 2008 and May 1, 2008.

The following are surplus items for sale:

- (1). A 1985 Gallon 4-6 Ton Waukesha Diesel Tandem Roller, 1266 hrs.**
- (2). A 1970 General Eager Beaver 9 Ton Flatbed Trailer.**

Clerk MacConnell announced (one) sealed bid had been submitted for the items. Clerk MacConnell proceeded to open the bid and read aloud the following:

The bid was from Jersey One Auto Sales Inc. from Jersey City, NJ.

Bid is as follows:

<b>1985 Tandem Roller</b>	<b>: \$225.00</b>
<b>1970 Flatbed Trailer</b>	<b>: \$335.00</b>

The bid was included, with no deposit. It was noted that no deposit was required.

Mayor Augustine closed the opening of the bids.

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to accept a bid from Jersey One Auto Sales Inc., for the purchase of a 1985 Roller in the amount of \$225.00, and a 1970 Flatbed Trailer in the amount of \$335.00.

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

**CORRESPONDENCE**

**Copy of Resolution from Union Township – Opposing Charges for New Jersey State Police Coverage to Rural Municipalities**

The Committee members reviewed copy of the resolution.

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008 – 87**

**OPPOSING CHARGES FOR NEW JERSEY STATE POLICE COVERAGE TO RURAL MUNICIPALITIES**

**WHEREAS**, the New Jersey State Police were founded in 1921, with the stated purpose of providing police protection for the rural inhabitants of the State of New Jersey, not otherwise serviced by full-time municipal police departments; and

**WHEREAS**, since 1921, the State Police have fulfilled this responsibility to our rural citizens with duty, honor and fidelity, and New Jersey’s rural municipalities have always appreciated this vital service; and

**WHEREAS**, despite population growth in New Jersey, many rural municipalities are still too small or sparsely populated to afford full time police protection; and

**WHEREAS**, Kingwood Township in Hunterdon County is a rural Township of approximately 35 square miles, having an estimated population of 3,900 persons as of 2005; and

**WHEREAS**, Governor Jon S. Corzine’s administration is planning to begin charging rural municipalities for State Police coverage, in order to address a deficit in State Police funding, while totally ignoring the burdens imposed on our rural municipalities by State roads and other facilities, and the transients and non-residents who utilize these facilities and the income realized by the State from such facilities; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, in the County of Hunterdon, State of New Jersey, that this governing body opposes any effort or proposal to charge rural municipalities in the State of New Jersey for State Police protection, in contravention of the promise that was made to New Jersey’s rural citizens in 1921 and reaffirmed over many years; and

**BE IT FURTHER RESOLVED**, under the particular circumstances pertaining to the Township of Kingwood, it would be especially inappropriate to surcharge Kingwood Township for State Police protection, in that Kingwood Township is already subsidizing State facilities and law enforcement activities in numerous other ways.

**BE IT FINALLY RESOLVED**, that true copies of this resolution shall be forwarded to Governor Jon S. Corzine, Senator Leonard Lance, Assemblywoman Marcia Karrow, Assemblyman Michael Doherty, New Jersey State Police, the New Jersey State League of Municipalities and to other concerned legislators, public officials and governing bodies in New Jersey.

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

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

**Copy of Resolution from Union Township and Township of Clinton– Opposing S-770 and A-1645 Mandating the Appointment of a Qualified Purchasing Agent and the Attendant ReOrganization of Township’s Purchasing Functions.**

The Committee members reviewed and discussed the resolutions from Union and Clinton Twp.

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008-81**

**A RESOLUTION OPPOSING S-770 AND A-1645 MANDATING THE APPOINTMENT OF A QUALIFIED PURCHASING AGENT AND THE ATTENDANT REORGANIZATION OF TOWNSHIP OF KINGWOOD PURCHASING FUNCTIONS**

**WHEREAS**, the Township of Kingwood strongly supports the employment of the best purchasing practices to not only ensure compliance with the numerous state statutes governing public procurement, but also to obtain the most favorable pricing for required services and products; and

**WHEREAS**, the Township of Kingwood encourages and allows its employees to receive continuing education courses and frequent training to remain relevant of new statutes, changes in regulations and best practice procedures which encourage proper cost effective purchasing; and

**WHEREAS**, the Legislature has before it bills S-770 and A-1645, endorsed by the Purchasing Officials and no other statewide local government organization, that would significantly impact on the operation of the purchasing function by requiring the reorganization of the purchasing function into a separate office not under the direct supervision of the local unit's administrator, manager, CFO and other official; and

**WHEREAS**, the Township of Kingwood has not experienced any challenges or crisis in purchasing procedures that warrants imposing this unfunded mandate upon local governments and questions what existing problem (s) it purports to fix; and

**WHEREAS**, the Township of Kingwood takes exception to this unfunded state mandate which represents an intrusion into the management prerogatives of local officials to organize purchasing functions that are in the best interests of resident taxpayers; and

**WHEREAS**, S-770 and A-1645 will not reduce the cost of the municipal operation nor lead to better purchasing activities; rather these unfunded mandates will, in all probability, lead to higher personnel costs in the future given the mandates contained therein; and

**WHEREAS**, it is unconscionable for the Legislature to impose another unfunded mandate during a time when Mayors and governing body members are focused on proposed budget cuts that will result in increased property taxes and the curtailment of services to residents.

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

1. Opposes S-770 and its companion bill A-1645 as an unfunded state mandate with no new or additional capabilities to assist towns in improving purchasing activities and in all probability will lead to future cost increases.
2. Opposes S-770 and its companion bill A-1645 which change an existing option afforded local units into an unfunded mandate to appoint a qualified purchasing agent.
3. Certified copies of this resolution be forwarded to Governor Jon Corzine, Senator Leonard Lance, Assemblywoman Marcia Karrow, the NJ League of Municipalities, and all municipalities in the County of Hunterdon.

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

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

**An Invitation for Public Officials to participate in “Sunset at High Point Press Conference” Saturday, May 10, 2008 at High Point State Park. (Sample Resolution attached: Opposing the Closure of New Jersey State Parks**

The Committee members reviewed and discussed whether they would be able to attend the Conference. No Committee members will be attending the Conference. The Committee members expressed that they are in favor of supporting the opposition of the closure of NJ State Parks.

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008-82**

**OPPOSING THE CLOSURE OF NEW JERSEY STATE PARKS**

**WHEREAS**, over 17 million visitors use New Jersey State Parks and Forests each year for camping, swimming, hiking, boating, and other recreational activities; and

**WHEREAS**, the New Jersey State Park System represents a vital resource in the State of New Jersey; and

**WHEREAS**, there are numerous business enterprises in Northwest New Jersey that rely heavily, or exclusively, on the commerce generated by tourists who visit New Jersey State Parks each year; and

**WHEREAS**, High Point State Park is the location of High Point Monument, a beautiful and necessary historic landmark dedicated to the memory of our Veterans of the Armed Forces; and

**WHEREAS**, the New Jersey Department of Environmental Protection is giving consideration to the full closure of High Point State Park in response to budget pressures of the New Jersey State Government; and

**WHEREAS**, the closure of High Point State Park will eliminate the ability of the general public to give honor due to our Veterans by closing off the High Point Monument; and

**WHEREAS**, the Township Committee of the Township of Kingwood consider it to be a travesty that any State Park would be closed because of the decades long inability of New Jersey State Government to operate within the same spending caps and fiscal responsibility that they impose on local governments; and

**WHEREAS**, State Parks represent a successful and popular venue of tourism and economic stimulus generating \$3.9 billion for New Jersey’s local and state economies; and

**WHEREAS**, the closure of any New Jersey State Parks would lead to extensive and widespread business failures in Northwest New Jersey, serving to further exacerbate the economic recession currently in effect, as well as increasing the loss of tax revenue by increased tax appeals created by loss of property valuation.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Kingwood does hereby oppose the closure of any New Jersey State Parks.

**BE IT FURTHER RESOLVED** that the Township Committee of the Township of Kingwood respectfully points out to Governor Jon Corzine, NJDEP Commissioner Lisa Jackson, and the entire State Legislature that the solution to the fiscal problems of Trenton must not be sought by pursuing budget cuts that will cause the economic collapse of Northwest New Jersey.

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

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

**Letter to Residents – Mr. and Mrs. Standish, A request that the Township Committee review**

Committeewoman Niemann noted that she had been trying to contact the couple about the situation. The couple dropped by the Township and expressed their feelings. D. Laudenbach briefly commented on the couples concerns. Mrs. Niemann will try to call the couple and talk to them.

**Letter and Request from MG – Garden State Chapter of the Myasthenia Gravis Foundation, Inc. – Request for Proclaiming June as Myasthenia Gravis Awareness Month with a Proclamation**

The Committee members discussed the importance to support the awareness of this cause by adopting a Proclamation for Kingwood Township.

**RESOLUTION NO. 2008-83**

**PROCLAIMING JUNE AS MYSTHENIA GRAVIS  
AWARENESS MONTH**

**WHEREAS**, Myasthenia Gravis is a neuron-muscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans; and

**WHEREAS**, the symptoms of the disorder include, but are not limited to, difficulty moving, breathing, swallowing, speaking and seeing; and

**WHEREAS**, the Myasthenia Gravis Foundation of America, Inc. is a non-profit organization founded, “to facilitate the timely diagnosis and optimal care of individuals affected by myasthenia gravis and closely related disorders, and to improve their lives through programs of patient services, public information, medical research, professional education, advocacy, and patient care”; and

**WHEREAS**, Myasthenia Gravis is one of the major neuromuscular disorder affecting residents of New Jersey; and

**WHEREAS**, it is fitting to recognize the many physicians who demonstrate an untiring effort to treat this disease and search for a cure.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, proclaim the month of June 2008 as Myasthenia Gravis Awareness Month.

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

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

**Letter of Request from the A.B.A.T.E. of the Garden State (American Bikers Advocating Training and Education) “Motorcycle Awareness Month” – Joint Resolution attached**

Mayor Augustine reviewed the letter and request from A.B.A.T.E. The Committee thought it would be a good idea to support the cause, and to make the month of May Motorcycle Awareness Month of the State of New Jersey.

**RESOLUTION NO. 2008-84**

**JOINT RESOLUTION DESIGNATING MAY AS “MOTORCYCLE AWARENESS MONTH” IN THE STATE OF NEW JERSEY**

**WHEREAS**, motorcycle riding is a popular form of recreation and transportation for thousands of people across the State and the Nation; and

**WHEREAS**, a growing number of New Jersey citizens are choosing motorcycles as an alternative mode of transportation; and

**WHEREAS**, motorcycles are convenient, provide fuel economy benefits to the environment, reduce traffic and parking congestion, and provide enjoyment to their riders; and

**WHEREAS**, many automobile drivers do not anticipate routine encounters with motorcyclists in traffic; and

**WHEREAS**, all motorists need to operate with caution near motorcycles as they lack the protective armor of and are less visible than trucks and automobiles which increases the risk of serious accidental injury and death for motorcyclists; and

**WHEREAS**, in recent years, more than half of all motorcycle fatalities involved a crash with another type of vehicle; and

**WHEREAS**, because a motorcyclist is more likely to die in a crash than an automobile driver or passenger, an increased knowledge and awareness of motorcyclists can lessen the occurrence of injuries and fatalities to motorcyclists; and

**WHEREAS**, due to the increased number of motorcycles on the roads and highways of our State and because motorcycle awareness and safety is a concern to all, it is appropriate to set aside a time to alert all motorists to the number of motorcyclists on the roads and to help motorists become aware of the safety concerns of motorcyclists; and

**WHEREAS**, in light of all these factors, it is important to heighten motorcycle awareness; and

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

1. The month of May is hereby designated as “Motorcycle Awareness Month” in the Township of Kingwood.
2. This joint Resolution shall take effect immediately.

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

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

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008 – 71**

**2008 TEMPORARY APPROPRIATIONS**

**WHEREAS**, the 2008 Budget of the Township of Kingwood has not been adopted and the appropriations provided for in Resolution No. 2008-02 are insufficient to cover the expenses in May of 2008; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Temporary 2008 Budget Appropriations be raised by the statutory one-twelfth (1/12<sup>th</sup>).

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

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

**BILLS AND CLAIMS**

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to approve and pay the bills and claims in the amount of **\$984,184.29** that are in order and attached as **Bill List** for **May** 2008.

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

**PUBLIC COMMENT PRIVILEGE OF THE FLOOR**

Cynthia Niecieki, State Hwy. 12 Thanked the Township Committee for their presence at the recent passing of Helen Gergar’s, funeral service. Cynthia explained that she and Committeewoman Elaine Niemann have been working on a Resolution in Helen’s memory. She also would like to thank the State Police for their prompt response and professional services in dealing with her death.

Jack MacConnell, Spring Hill Road Expressed his thanks to the Board of Health for accepting the idea of a soil replacement ordinance, subsequent to the excavation to septic testing. Attorney Kopen explained that the Board of Health has written a letter to the Township Committee recommending that they adopt this ordinance. She noted that this has not been introduced at this time, but that the Township Committee needs to determine whether they want to pass such an amendment to the ordinance. Mr. MacConnell gave several suggestions to be added to the ordinance. He would like to see an ordinance introduced at the present meeting. Attorney Kopen stated that she would like to work on the ordinance first and at the Township Committee’s next meeting in June introduce. Committeewoman Niemann offered to contact the Farm Bureau to see if any other municipalities have introduced an ordinance similar to the ordinance that Mr. MacConnell would like to see adopted.

Deputy Mayor Burke suggested developing an ordinance with a fine involved, and then this could always be changed after researching it further. The Committee members agreed to Mr. Burke's suggestion.

Committeewoman Niemann read aloud the Resolution which she and Cynthia Niecieki worked on together for an individual named, Helen Gergar, who recently passed away. Mrs. Niemann explained that Helen was a life long resident of Kingwood Township. She noted that this Resolution is to memorialize her life here in Kingwood Township.

## **RESOLUTION**

The following Resolution was introduced:

### **RESOLUTION NO. 2008 – 85**

#### **TRIBUTE TO HELEN GERGAR**

**WHEREAS**, with the recent passing of Helen Gergar, a lifelong resident of Kingwood Township, the members of the Township Committee of Kingwood desire to memorialize her life here; and

**WHEREAS**, Helen Gergar's family farm was a significant presence in our town and, but for Helen's fiercely independent spirit, the farm would not have been as successful and enduring; and

**WHEREAS**, Helen Gergar's lifelong dedication to her family farm's productivity and maintenance promoted the rural beauty of Kingwood Township; and

**WHEREAS**, Helen worked tirelessly to the benefit of our community, generously donating her talent, her energy, her wry wit and her determination to contribute to the success of events at Kingwood Park, such as Community Day, the Easter Egg Hunt and an assortment of picnics and cookouts throughout the year; and

**WHEREAS**, Helen Gergar was an enthusiastic member of the Merry Mixers, happily joining her friends on many trips and luncheons, honing her bowling skills and bringing laughter with her always; and

**WHEREAS**, Helen Gergar was a charter member of the Oak Summit School Historical Society, holding the office of vice president at the time of her passing; and

**WHEREAS**, Helen Gergar played a significant role in the restoration and maintenance of her beloved alma mater, the Oak Summit School; and

**WHEREAS**, Oak Summit School is now a landmark in our community, where Kingwood Township School students now learn about its history as a one room schoolhouse and where they were regaled by Helen Gergar's reminiscences of her days as a student there; and

**WHEREAS**, we all looked forward to Helen Gergar's presence at the polls every Election Day.

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Kingwood Township Committee express our deepest gratitude to Helen Gergar for her unflinching dedication to the betterment of our community and we hereby memorialize her contributions to our community with this resolution.

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

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

## **REPORTS**

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

Tax Collector's Report of April 2008  
Municipal Court Report of March 2008  
Construction Department Report of April 2008  
Zoning Permits Report of April 2008  
Township Engineer's Monthly Report

Deputy Mayor Burke briefly reviewed the Township Engineer's monthly report. He reported on the new entrance to Thatcher Road. He also noted that an inspection is needed from the D.O.T. to move the current stop sign. Mr. Burke also reviewed an update of Oak Grove Road.

Cynthia Niciecki commented on Helen Gergar's cats. She stated that they are living outside of Helen's house. The Committee recommended that the decision should be up to the executor of the estate, and that they should decide what happens with the cats.

Animal Control Report of April 2008

Dog Canvass Report of April 2008

Dog Licensing Report

The Township Committee reviewed the animal reports. They are very pleased with Traci Fleming's reports and hard work. Mr. Burke reported on a foreclosure of a home. He said that there are many animals that need to get into a shelter. He stated that Dr. Tindall's shelter was full and could not take on any more animals.

Committeewoman Niemann suggested creating a non-profit humane group, or a local group, which could help support our animal expenses. Mrs. Augustine to follow up and see if someone is interested. She would also like to thank Dr. Tindall and his veterinarian services for all their help..

## **Gypsy Moth Spraying Update**

Clerk MacConnell noted that the gypsy moth spraying has been postponed until the week of May 12, 2008 as long as it does not rain.

## **FUTURE MEETINGS AND ACTIVITIES**

Mayor Augustine reviewed as per the Agenda. She also noted that a Township Committee's Special Meeting is scheduled for May 20, 2008 at 6:00 P.M.

Committeewoman Niemann was concerned whether the June Township Committee meeting has been rescheduled from Tuesday June 3, 2008 to Monday, June 2, 2008 at 7:00 P.M, due to Election Day. The Township Clerk responded that it has already been scheduled for Monday, June 2, 2008.

## **ORDINANCE**

**ORDINANCE NO. 15-10-2008 ACCEPTANCE OF OPDYKE ROAD AS MUNICIPAL ROAD VOL.15, PG.15-10– 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 9<sup>th</sup> day of April, 2008. The Ordinance was published in the Delaware Valley News on April 17, 2008 and has been posted in the Kingwood Township Municipal building on April 10<sup>th</sup>, 2008. Copies of the Ordinance have been available for inspection by the public since February 10<sup>th</sup>, 2008.

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

Public Comments: None

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

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried the motion to adopt on final reading **AN ORDINANCE IN ACCEPTANCE OF OPDYKE ROAD AS MUNICIPAL ROAD**.

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

**RESOLUTIONS**

Deputy Mayor Burke briefly reviewed the following resolution before introduction. He explained that the Township’s Engineer Tom Decker has been in touch with Cheryl Edwards, who is the D.O.T. representative for the Township. She is allowing the Township to rescind the funds that were applied for Oak Grove Road, and to be used towards another road in the Township. Engineer Tom Decker will be reapplying to the State for Spring Hill Road.

The following Resolution was introduced:

**RESOLUTION NO. 2008 – 72**

**A RESOLUTION REQUESTING THE RESCINDING OF MUNICIPAL AID FOR OAK GROVE ROAD**

**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**, per the report of the municipal engineer dated 3/5/08 (Exhibit A) due to constraints imposed upon construction of the proposed improvements to Oak Grove Road by NJDEP environmental regulations subsequent to the NJDOT awards, the moneys associated with the road improvements are cost prohibitive at this time;

**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 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 rescinded by NJDOT.

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

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

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008 - 86**

**CANCELLATION OF ORDINANCE NO. 14-22-2007**

**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**, per the report of the municipal engineer dated March 5, 2008 due to constraints imposed upon construction of the proposed improvements to Oak Grove Road by NJDEP environmental regulations subsequent to the NJDOT awards, the moneys associated with the road improvements are cost prohibitive at this time.

**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 Chief Financial Officer be authorized to cancel the remaining unencumbered amount of \$339,715.27 for Ordinance No. 14-22-2007.

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

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

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008 – 73**

**WHEREAS**, bids for road maintenance and materials were received on March 4, 2008 and April 21, 2008, as part of the joint bid for Delaware, Franklin and Kingwood Townships;

**WHEREAS**, the contract for the municipal maintenance work and material in the Township of Kingwood in the County of Hunterdon be and is hereby awarded to the following:

em	Description	Qty	Unit	Unit Price	Distance (miles)	Mileage Adj	Adjusted Unit Price	Bidder
1	Hot Mix Asphalt, Mix I-4 or I-5, Surface Course (FOB)	200	Ton	\$44.95	10.9	\$3.82	\$48.77	Flemington Bituminous Corp.
2	Hot Mix Asphalt, Mix I-4 or I-5, Surface Course (FDS)	1,300	Ton	\$51.25	N/A	N/A	\$51.25	Flemington Bituminous Corp.
3	Hot Mix Asphalt, Mix I-2, Base Course (FOB)	500	Ton	\$42.95	10.9	\$3.82	\$46.77	Flemington Bituminous Corp.
4	Emulsified Asphalt – Grade CRS-2P (FDA)	35,000	GAL	\$1.88	N/A	N/A	N/A	Garden State Asphalt Materials
5	3/8" (#8) Clean Crushed Stone (Screw or Belt Washed), No Limestone (FOB)	800	Ton	\$10.75	16.4	\$5.74	\$16.49	Plumsted Materials
6	1" Quarry Process/Road Blend (FOB)	1,000	Ton	\$7.00	14.5	\$5.08	\$12.08	Trap Rock Industries, Inc.
7	3/4" Clean Crushed Stone (FOB)	500	Ton	\$7.50	16.4	\$5.74	\$13.24	Plumsted Materials

**WHEREAS**, the mileage adjustments have been taken into account for hauling costs based on \$0.35 per ton per mile and the selected hauling route was determined to be from the Department of Public Works Facility to the production plant one way. The following summarizes the hauling distances for each plant; and

**WHEREAS**, the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said maintenance work and material; and

**WHEREAS**, the Clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that on receipt of a bond for not less than the amount of said contract executed in the prescribed form and heretofore approved by the solicitor of this body, the presiding officer and finance committee thereof be and are hereby in their discretion, empowered to approve said bond.

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

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

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008 – 74**

**REFUND OF RETAIL FOOD LICENSE FEE**

**WHEREAS**, the following individuals or vendors have paid a fee to the Township for a Retail Food License; and

**WHEREAS**, the collected fees were in excess of the amount charged by the County or are exempt for the inspection.

**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 Chief Financial Officer be authorized to issue the following refunds for 2007:

Vendor		Amount
Famous Dave's BBQ	315 Route 206, Hillsborough, NJ 08844	\$ 75.00
Cradle of Liberty Boy Scouts of America	1485 Valley Forge Road, Wayne, PA 19087	\$ 200.00
Sherij Liquors	866 State Route 12, Frenchtown, NJ 08825	\$ 100.00
RTS Packaging, LLC	869 State Highway 12, Frenchtown, NJ 08825	\$ 100.00

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

**Roll Call Vote:**

<b>AYE</b>	<b>- Burke, Niemann, Augustine</b>
<b>NAY</b>	<b>- None</b>
<b>ABSTAIN</b>	<b>- None</b>
<b>ABSENT</b>	<b>- None</b>

## **RESOLUTION**

The following Resolution was introduced:

### **RESOLUTION NO. 2008 - 75**

#### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF KINGWOOD, HUNTERDON COUNTY, NEW JERSEY IN REGARD TO CERTIFICATION OF THE LOCAL TAX LEVY FOR THE DELAWARE VALLEY REGIONAL HIGH SCHOOL DISTRICT**

**WHEREAS**, the Board of Education of the Delaware Valley Regional High School District presented to the voters, at the annual School Election held on April 15, 2008, a question concerning the tax levy requirements for the said Board of Education for current expenses and capital outlay, designated as the General Fund, in the amount of \$11,874,758; and

**WHEREAS**, the voters of Kingwood Township rejected the current expense and capital outlay budget designated as the General Fund, by a vote of 159 - Yes votes and 276 - No votes; and

**WHEREAS**, the total votes cast of the five municipalities comprising the Delaware Valley Regional High School District rejected the current expense and capital outlay budget, designated as the General Fund by a total vote of 952 -Yes votes, 1,117 - No votes; and

**WHEREAS**, the said Delaware Valley Regional High School Board of Education transmitted an official copy of the rejected current expense and capital outlay budget designated as the General Fund to the Township Committee of the Township of Kingwood by April 18, 2008; and

**WHEREAS**, the Township Committee of the Township of Kingwood have reviewed information on the current expense and capital outlay budget, designated as the General Fund submitted by the said Board of Education; and

**WHEREAS**, a joint meeting of the mayors of the five municipalities was held on April 28, 2008, to discuss the current expense and capital outlay budget, designated in the General Fund as submitted by the Board of Education; and

**WHEREAS**, careful consideration has been given to the information received from the Board of Education, with a view toward providing a thorough and efficient system of education in the school system of the Delaware Valley Regional High School District;

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

The tax levy amount of \$11,874,758 on the ballot was rejected by the voters for the General Fund (base budget);

The Mayor and Township Committee has determined that the rejected General Fund is above the maximum T & E budget and that a reduction of \$100,000 will not adversely affect the Board of Education's ability to meet the thoroughness and efficiency standard as set forth in N.J.A.C. 6:19-5.5(a)(3). Therefore, the Mayor and Township Committee hereby reduce the General Fund tax levy by \$100,000. It is recommended that such reductions come from the following line-item accounts:

A. Mileage and Conferences	11-401-100-500	\$ 1,500
B. Mileage and Conferences	11-402-100-500	\$ 8,000
C. Mileage and Conferences	11-230-100-500	\$ 150
D. Mileage and Conferences	11-000-213-500	\$ 300
E. Mileage and Conferences	11-000-218-500	\$ 1,750
F. Mileage and Conferences	11-000-219-500	\$ 3,800
G. Mileage and Conferences	11-000-222-500	\$ 250
H. Mileage and Conferences	11-000-223-500	\$ 15,050
I. Mileage and Conferences	11-000-230-500	\$ 2,000
J. Mileage and Conferences	11-000-240-500	\$ 1,500
K. Mileage and Conferences	11-000-262-500	\$ 750
L. General Supplies	11-190-100-600	\$ 2,275
M. General Supplies	11-212-100-600	\$ 500
N. General Supplies	11-213-100-600	\$ 200
O. General Supplies	11-402-100-600	\$ 2,870
P. General Supplies	11-403-100-600	\$ 1,400
Q. General Supplies	11-000-218-600	\$ 700
R. General Supplies	11-000-219-600	\$ 1,200
S. General Supplies	11-000-223-600	\$ 500
T. General Supplies	11-000-251-600	\$ 100
U. General Supplies	11-000-240-600	\$ 5,000
V. Repairs and Maintenance	11-000-262-420	\$ 1,205
X. Maintenance Salaries	11-000-262-106	\$ 2,000
Y. Business Office Salaries	11-000-251-105	\$ 12,000
Z. Superintendent Office Salaries	11-000-230-105	\$ 21,000
a. Employee Benefits	11-000-291-270	<u>\$ 14,000</u>
	Total	\$100,000

Explanation:

- A-K Reduction in out of district conferences
- L-U Reduction in General Supplies

- V Reduction in Repairs
- X-Z Office Restructuring
- a Reduction in Benefits

In consideration of these reductions, the tax levy will be adjusted as follows:

\$11,874,758	-	presented to the voters
<u>- 100,000</u>	-	above reductions
<b>\$11,774,758</b>		certified tax levy amount

1. The Mayor and Township Committee hereby certifies that the amount of the tax levy herein above certified by this Municipal Government for the General Fund (base budget) is sufficient to provide a thorough and efficient system of education for the Delaware Valley Regional High School District.
2. The aforementioned tax levy herein certified by the Township of Kingwood for the base budget exceeds the local share required by the comprehensive Educational Improvement and Financing Act of 1996.
3. The Township Clerk of the Township of Kingwood is directed to certify no later than Monday, May 19, 2008, to the Hunterdon County Board of Taxation, the Hunterdon County Superintendent of Schools, the Delaware Valley Regional High School District Board of Education, the Kingwood Township Tax Assessor, the Division of Local Finance of the Department of the Treasury of the State of New Jersey, and to any other parties required by law to receive such certification, that the amount of \$11,774,758 is necessary to be raised by taxation for General Fund revenues (District tax levy); a proportionate amount of which shall be included in the taxes to be raised, levied and collected in this Township for current expense and capital outlay, designated as General Fund set forth herein, for the Delaware Valley Regional High School District; and copies of this Resolution, to be executed by the Mayor and Township Clerk, shall be forwarded by the Township Clerk to the persons and/or departments named herein, for certification purposes.

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

**Roll Call Vote:**

<b>AYE</b>	-	<b>Burke, Niemann, Augustine</b>
<b>NAY</b>	-	<b>None</b>
<b>ABSTAIN</b>	-	<b>None</b>
<b>ABSENT</b>	-	<b>None</b>

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008 – 76**

**FARMLAND PRESERVATION - FIG 1**

**WHEREAS**, the Kingwood Township Committee passed Resolution No. 2006 – 12 Supporting and Endorsing the Township Planning Incentive Grant application; and

**WHEREAS**, the Augustine farm of Horseshoe Bend Road, Block 14, Lot 21.03 is a part of that application; and

**WHEREAS**, the Kingwood Township Committee has previously adopted Resolutions agreeing to cost share on any application from the Township selected for farmland preservation; and

**WHEREAS**, Mrs. Margaret E. Augustine has accepted the easement value certified by the State Agriculture Development Committee;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey to approve and cost share funding on the following:

<u>Property Owner</u>	<u>Block/Lot</u>	<u>Acreage</u>
Margaret E. Augustine	14/21.03	61.657

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

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

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008 - 77**

**AUTHORIZING THE EXECUTION OF A DEVELOPER’S AGREEMENT FOR BLOCK 15, LOT 8.05 OWNED BY PENN JERSEY EDUCATION RADIO CORP.**

**WHEREAS**, Penn Jersey Education Radio Corp. (hereinafter “Developer”) received preliminary and final approval for development of Block 15, Lot 8.05 on the Township of Kingwood Tax Map (hereinafter “Property”) from the Township Planning Board by its Resolution of January 9, 2007; and

**WHEREAS**, on April 8, 2008, the Kingwood Township Planning Board, adopted a motion approving an amendment to the final site plan approval to allow the transmission tower and associated improvements to be constructed as Phase I improvements on the Property; and

**WHEREAS**, a Resolution delineating the specific terms of the approval for the phased development of the Property is scheduled to be heard by the Township Planning Board on May 13, 2008; and

**WHEREAS**, the Developer and Township desire to enter into an agreement setting forth the rights, duties and obligations of the parties in connection with the foregoing preliminary and final approvals.

**NOW THEREFORE BE IT RESOLVED** as follows:

1. That the Mayor and Clerk and any other necessary municipal official of the Township of Kingwood is hereby authorized to execute a Developer’s Agreement for Phase I improvements of the Property substantially in the form attached hereto as Schedule A.
2. Final form of Developer’s Agreement shall be approved by the Township Attorney and Engineer and the execution of the same in contingent on passage of a Resolution by the Township Planning Board on May 13, 2008, amending final site plan approval to allow the transmission tower and associated improvements to be constructed in phases.

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

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

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008 - 78  
AUTHORIZING THE EXECUTION OF LEASES**

**WHEREAS**, the Township of Kingwood is the owner of parcels of property known as Block 19, Lot 8 on the Township of Kingwood Tax Map (“Park Property”) and Block 20, Lot 1.01 on the Township of Kingwood Tax Map (“former Melnyk Farm”); and

**WHEREAS**, as to the Park Property, the Township is leasing the same as a residence for the Township’s Park Director, Charles Wilson, whose tenancy in the Park Property is specifically conditioned upon that employment; and

**WHEREAS**, as to the former Melnyk Farm, the Township is leasing the main house on the same pursuant to an agreement that the tenant in the main house on that property, Daniel Jones, shall perform mowing and general maintenance duties on the former Melnyk Farm and whose tenancy on the former Melnyk Farm is specifically conditioned upon that employment;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Committee of the Township of Kingwood that the Mayor and Clerk and any other necessary municipal official of the Township of Kingwood is hereby authorized to execute the leases for the Park Property and the former Melnyk Farm, which leases are attached hereto as Schedule A & B, respectively.

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

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

Deputy Mayor Burke explained that the house on the Melnyk Farm needs a new cooking range. The Committee discussed replacing the old range with a new one spending up to \$400.00.

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried the motion to authorize the Township to spend up to \$400.00 on a new cooking range for the house on the Melnyk Farm.

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

## **RESOLUTION**

The following Resolution was introduced:

### **RESOLUTION NO. 2008 - 80**

**WHEREAS**, Kingwood Township Boy Scout Troop 519 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 519 continues to undertake numerous service projects benefiting our residents and our Municipality; and

**WHEREAS**, on May 31, 2008, Boy Scout Jake Brogan, a member of Troop 519 in Frenchtown, New Jersey will be honored at a special court of honor ceremony to honor his achievement of Eagle Scout rank, Boy Scout's highest honor; and

**WHEREAS**, upon his graduation from Del Val High School, Jake Brogan will attend college to study psychology, Spanish and ultimately attend the Police Academy with the goal of becoming a member of the criminal intelligence division of the FBI; and

**WHEREAS**, Jake Brogan, earned over 21 merit badges (in his case 25) and served in his troop in a variety of leadership roles. These Leadership rolls took place both within the troop as senior patrol leader and also outside in his attendance at Boy Scout leadership camps and national events. He also helped plan a district level comporee last fall for others to enjoy; and

**WHEREAS**, his major community service project was to add a flag pole flag, podium and also to install a volleyball court, and a public address system at the Kingwood Township Park; and

**WHEREAS**, on May 31, 2008, a Court of Honor will convene for the purposes of bestowing upon Jake Brogan, the highest honor of scouting, after which, and for the rest of his life, Jake Brogan, will carry the title of EAGLE SCOUT; and

**WHEREAS**, EAGLE SCOUT JAKE BROGAN, has joined the ranks of a select fraternity of Eagle Scouts in our Nation, including Presidents, Elected Representatives, Clergymen, Doctors, Lawyers, Business and World Leaders.

**NOW, THEREFORE, BE IT RESOLVED**, on this 6th day of May, 2008, 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 JAKE BROGAN**

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

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

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

A letter of congratulations from the Mayor will accompany the Resolution to Jake Brogan.

**NEW BUSINESS**

**2008 Copier Analysis – Search for a New Copy Machine**

The Township is in need of a new copy machine. There was a discussion on the quotes C.F.O. Laudenbach obtained for buying and leasing several machines. Clerk MacConnell and C.F.O. Laudenbach reviewed the options. There were several machines they looked into possibly purchasing or leasing. The quotes were as follows:

Allister Business - to purchase the cost is \$6,266.00, to lease the cost is \$2,794.08 for a year.

Business World - to purchase the cost is \$9,906.00, to lease the cost is \$4,557.12 for a year.

Richoh - to purchase the cost is \$5,787.00, to lease the cost is \$2,980.68 for a year.

It was moved by Mr. Burke, seconded by Mrs. Nieman and carried the motion to choose a copy machine chosen by the Township Clerk, on a monthly lease with Allister.

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

**Request from The Kingwood Township School – Kingwood Township To Sponsor the Award for Outstanding Achievement in Social Studies, and a Representative from the Township to present the Award on Tuesday, June 10<sup>th</sup>, 2008**

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried to sponsor the Award for Outstanding Achievement in Social Studies with the Kingwood School with an award of a \$100 savings bond costing \$50 and to be presented by the Mayor Augustine to attend the event.

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

**Surveillance Cameras for Township Garage – Price Quotations**

Deputy Mayor Burke reviewed several quotes he obtained for surveillance cameras to be installed at the Township garage located on Union Road. These are to view the garage and the area where the recycling is taking place. The quotes were as follows:

FYI Computer Services for \$2,604.31

Sonitrol for \$6,607.00.

There was a brief discussion on the quotes presented.

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried to authorize FYI Computer Services to install a surveillance camera, and the amount to install to be \$2,604.31.

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

**Memo from Todd Kratzer, Planning Board Member re: Comments on the Updated FEMA Flood Insurance Rate Map for Kingwood Township**

Committeewoman Niemann noted that Todd Kratzer, Planning Board member, and also a member of the Board of Health, reviewed the updated FEMA flood insurance rate maps. This was in response to a memo the Township Committee received from Marsha Karrow’s office regarding new flood maps for Hunterdon County. The memo informed the Township that these maps were being distributed to all the surrounding towns to review. Mr. Kratzer reviewed the maps and had several comments. Mrs. Niemann suggested passing these comments on to all the folks that wanted feed back and any comments be sent to FEMA. Mr. Burke noted that he attended a meeting where they introduced the flood maps. Clerk Mary MacConnell will forward the comments with a cover letter to Hunterdon County representative for FEMA, Karen Hershey.

**Request from the Kingwood Township Board of Health - For an Ordinance**

This was discussed under public comments.

**Handout from Tax Collector Diane Laudenbach**

Mayor Augustine briefly reviewed. C.F.O. Laudenbach was present and explained the handout.

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried the motion to cancel the following balances to the surplus. If the subject should arise, than the amount will be paid from the surplus.

Balances to be canceled:

Block 13, Lot 14.05	\$2,424.50
Block 18, Lot 7.06	\$1,199.39
Block 51, Lot 41	\$1,370.28

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

**OLD BUSINESS**

**Long Distance Telephone Service – Excel vs.Embarq – Request from Doug Frey**

Committeewoman Niemann reviewed the reasons for the change in the Township’s long distance service. She contacted a new company named Embarq to sign up for their long distance. Mrs. Niemann also contacted the present long distance company Excel to cancel the program we have with them currently..

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried the motion to authorize to switch long distance services from Excel to Embarq, and that Committeewoman E. Niemann be authorized to sign the Township up with Embarq, which will be a savings for the Township.

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

**Melnyk Property**

Previously discussed during the meeting.

**Update - Habitat for Humanity**

Previously discussed during the meeting.

Committeewoman E. Niemann suggested having a section on the web site for an animal control corner. This able the public to know about information on adopting animals, and also to help support Traci Fleming the Township's Animal Control Officer.

Clerk MacConnell noted that Joe Zdrodowski has completed the Hazardous Mitigation Plan. She explained that FEMA has offered to come to the Township and review the plan and give a presentation. Mr. Burke will contact Mr. Zdrodowski to see when FEMA would be available to come to the Township.

Clerk MacConnell, reviewed a liquor license for a person to person transfer application for the Forge and Anvil. The new restaurant will be called Uncle Scott's Steakhouse.

Committeewoman Niemann asked the Committee members if it is possible to revise the Township's rental leases. She expressed that living out in the country animals should be allowed. It was noted that a resolution has already been adopted for the approval of the rental leases, which did not include pets in the units.

Mrs. Niemann asked if in the future this may be considered to revise the leases allowing animals in the Township's rental units.

**MINUTES**

**December 31, 2007 Special Township Committee Meeting**

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to adopt the minutes of the December 31, 2007 Special Meeting and placed on file.

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

**EXECUTIVE SESSION – RESOLUTION NO. 2008 - 79**

Following a brief recess, at approximately 8:55 P.M., the following Resolution was introduced to enter into closed session:

**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 Mr. Burke, seconded by Mrs. Niemann and carried to adopt the foregoing Resolution.

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

**RETURN TO REGULAR SESSION**

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried to return to regular session at 9:18 P.M. All voted Aye on Roll Call Vote.

**Township Employee Handbook and Personnel Manual**

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried the motion to amend the Employee Handbook and Personnel Manual. The amendment will be on page #15, under the heading Compensation and Benefits, regarding Eye and Dental Coverage. This is to specify that this benefit is available to eligible employee's of the Township along with their spouses and dependants under the age of 23 who currently reside with them, and that this change be made immediately.

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

C.F.O. Diane Laudenbach briefly commented on the new provisions in the employee handbook. There was also a question about sick time, and whether it could be taken hourly as opposed to daily. Committeewoman Niemann commented that she will review this and be in contact with D. Laudenbach.

**Authorizing Township Attorney**

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried the motion to authorize the Township Attorney to file an answer prioritizing the Township’s lien for the Michelanko case.

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

There was a brief discussion about a life safety ring needed at the Kingwood pond. Mr. Burke stated he spoke with Public Works Supervisor Jack Search, who suggested that the Township purchase a ring as soon as possible. He noted that the family who is renting near the pond on the Melnyk property do have small children. C. Keller, Secretary of the Parks and Recreation Committee, mentioned that the Park and Rec. Chairman David Hewitt stated at the last meeting that he would be getting a ring for the pond by the 14<sup>th</sup> of June for the fishing derby, and that it will be left there permanently.

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2008 – 88**

**A RESOLUTION ENDORSING AN INCREASE IN STATE POLICE SURCHARGES TO FUND STATE BUDGET SHORTFALLS IN LIEU OF RELIANCE UPON LOCAL PURPOSE TAX INCREASES**

**WHEREAS**, Governor Jon S. Corzine’s proposed Fiscal Year 2009 budget identifies a shortfall in New Jersey State Police funding of \$20.5 million; and

**WHEREAS**, the administration plans to start charging municipalities for State Police services, and doing so would negatively affect municipal budgets and thus require municipalities to raise local purpose taxes; and

**WHEREAS**, a aforementioned proposed budget calls for cuts in municipal aid which also would require municipalities to raise local purpose taxes; and

**WHEREAS**, Directive 15 from the Governor also requires municipalities to meet new security requirements in their courts, resulting in additional capital expenditures in municipal budgets while no State funding offsets are provided; and

**WHEREAS**, on February 22, 2007, many Mayors, other elected and appointed municipal officials met with the Attorney General and State Police offering a solution to the State Police budget shortfall-namely, increasing surcharges on fines levied by the State Police; and

**WHEREAS**, P.L. 2007, c335 (C. 39:2A-36.1) allows the Motor Vehicle Commission Governing Board to increase the surcharges listed in that statute; and

**WHEREAS**, charging those who violate State statutes would fund the State Police Budget shortfall in lieu of relying on New Jersey property taxpayers in a sensible solution to address the problem; and

**WHEREAS**, on March 19, 2008, Mayors, elected and appointed officials met again with the Governor's Deputy Chief of Staff, other members of the administration, and the State Police, reiterating this fair solution, and recommended that the administration set the appropriate surcharge rates that would cover the shortfall, as well as that monies collected may also be returned to communities to cover additional court security expenses.

**THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, hereby resolves that it endorses the sensible solution proposed to raise surcharges on motor vehicle fines rather than rely on New Jersey property tax payers to fund any State Police shortfall.

**BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the Governor, the members of the State Legislature, and the New Jersey League of Municipalities.

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

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

There was a brief discussion about dividing the responsibilities between the Committee members. They proceeded to discuss how they need to communicate with each other so that they are not all duplicating the same responsibility. It was discussed that when the Committee members sign up for a class, or a seminar, to inform the Clerk's office so that the other Committee members will be informed on who will be attending. Mrs. Niemann expressed that she would like to take over as the liaison for the Byram Colony. She also discussed the Township's responsibility of COAH, and stated that this is a large task, and an enormous responsibility. Mrs. Niemann also offered to be the contact person for COAH, as far as e-mails, faxes, and calls. Mr. Burke suggested that one of the Committee members should be the contact person for the dog warden. Mrs. Niemann also offered to be the contact person for the dog warden. Mr. Burke discussed more on COAH and suggested we should consider joining a "Class Action Suit." He noted that he spoke to several individuals from other Townships on this subject. Mrs. Niemann will be attending a meeting in Peapack Gladstone on COAH, and hopes to gather information for the Township. Mr. Burke explained that he will also be attending the Mayor's meeting this week, and will gather information on COAH.

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to adjourn the meeting at 9:42 P.M. **All** voted **Aye** on **Roll Call Vote**.

**Respectfully Submitted,**

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