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**July 1, 2008
Regular Township Committee
Meeting Minutes**

A Regular Meeting of the Kingwood Township Committee was called to order at 7:10 P.M. with Mayor Augustine presiding.

Also present at the meeting were Deputy Mayor Burke, Committeewoman Niemann, Attorney J. Kopen, C.F.O. D. Laudenschick, Deputy Clerk Brown, and Clerk MacConnell. 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.

CORRESPONDENCE

Copy of Resolution from Middletown re: Opposition to A-500 and S-1783

Mayor Augustine Reviewed.

Copy of Resolution from Raritan, West Amwell re: Opposition to Permit Extension Act of 2008

The Committee members reviewed, and are in favor of supporting the Opposition to Permit Extension Act of 2008.

RESOLUTION

The following Resolution was introduced:

RESOLUTION NO. 2008 – 120

**OPPOSING PROPOSED ASSEMBLY BILL A2867
(AND IDENTICAL SENATE BILL S1919)
KNOWN AS THE “PERMIT EXTENSION ACT OF 2008”**

WHEREAS, on May 19, 2008, New Jersey State Assemblyman Louis Greenwald (D-6) and Assemblyman Joseph Cryan (D-20) introduced Assembly Bill A2867 known as the “Permit Extension Act of 2008”, (with identical Senate Bill No. S1919 introduced in the New Jersey Senate by NJ State Senator Paul Sarlo [D-36] and Senator Jeff Van Drew [D-1]) (the “Act”); and

WHEREAS, the Act as introduced, declares that there exists from the period of January 1, 2006 and continuing through to December 31, 2012, a state of economic emergency in the State of New Jersey, particularly a crisis in the banking, real estate and constructions sectors, and declares that as a result of the crisis real estate and industrial developers have experienced an industry-wide decline. The Act finds that a “myriad of new regulations with regard to environmental protection have significantly increased” costs of development, in addition to other findings regarding development costs and the permitting and approval process; and

WHEREAS, the Act purports to address New Jersey’s state of economic emergency by automatically suspending the running of the period of approvals, tolling the period of time when an affected government or agency issued permit or approval would otherwise expire, including extending certain approvals that have already expired. The proposed permit extension would extend the expiration of approvals at least through December 31, 2012, and certain approvals up to two years thereafter; and

WHEREAS, although it is commendable that the New Jersey Legislature would seek proactively to recognize and address a state of economic emergency, the proposed Permit Extension Act of 2008 is ineffectual to accomplish its stated purposes of preventing a waste of public and private resources, fails to address any such economic emergency or provide any economic stimulus benefit, improperly interferes with the powers and authorities of local municipalities, and may in fact result in a severe detrimental impact upon the environment and the general public health, safety and wellbeing by allowing projects with expired approvals, or stalled projects with approvals set to expire, to avoid having to comply with subsequent changes in environmental law, public health standards, building codes or local zoning; and

WHEREAS, it is the steadfast and earnest opinion of the Kingwood Township Committee that the proposed Act is neither beneficial nor in the best interests of the citizens of Kingwood Township, and, rather than providing an economic benefit, would adversely impact the residents of this State.

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

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1. The Mayor and Committee of Kingwood Township strongly oppose Assembly Bill A-2867 (and identical Senate Bill No. S-1919) known as the “Permit Extension Act of 2008”, as introduced.

2. The Mayor and Committee of Kingwood Township urge their State Legislators to oppose the Permit Extension Act of 2008.

3. The Mayor and Committee of Kingwood Township urge their State Legislators and the Governor to consider and propose better options for addressing a state of economic emergency and providing a benefit to the citizens of this State at large, rather than relying upon the presently proposed extension of permits and approvals to the benefit of developers.

4. The Township Clerk is authorized and directed to forward a copy of this Resolution to Assemblywoman Marcia Karrow, Assemblyman Michael Doherty, Senator Leonard Lance, the Office of Governor Jon Corzine, and the NJ State League of Municipalities.

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

Copy of Resolution from Bethlehem re: Opposition to A-1880

Mayor Augustine reviewed. A resolution supporting the opposition to A-1880 was adopted at a prior meeting.

Letter from NJ Chapter American Public Works Assoc re: Nominations for Awards

Mayor Augustine reviewed. The Committee discussed looking into this further.

Letter from DEP Green Acres Program re: Funding

Mayor Augustine reviewed. Deputy Mayor Burke explained that the Open Space Advisory Committee has applied for as much as could be possible.

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 \$2,152,652.03 that are in order and attached as **Bill List for July 2008**.

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

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Jack MacConnell, Spring Hill Road Commented on the charges that the State Police are considering charging municipalities for their service. He noted the statute requires 7,200 population or above must provide own coverage. Kingwood Township only has about 4,000. He has also heard that several municipalities will not be required to pay. He feels that this will be a discrimination to exclude those Townships. He suggested to the Committee members to consider writing a very strong letter to the Governor. Mr. MacConnell commented in reference to a sign near Gunther’s property he feels should be taken down, and asked if the sign can be removed.

Committeewoman Niemann commented that Robert Runion, a retired State Policeman, and resident of Kingwood Township, was able to attend a meeting with the County with Marsha Karrow on this very same subject. Mrs. Niemann will update the Committee at the next meeting about the County meeting.

Sandra McNicol, Oak Grove Road Thanked the Committee members for speaking tonight to everyone about the town center and hopes that in the future more people understand what the Township is trying to do to improve the Community. She also had a question regarding zoning and about a complaint that she filed awhile ago. She explained that she has not heard a word from the Zoning Officer about the situation. She would like to see that the Zoning Officer provide timely responses to resident’s complaints. Mrs. McNicol feels also that there are a lot of zoning violations along Route 12, and many auto stations have a lot of cars on their property, and it is getting to look like a junk yard. She is concerned about contamination from oil, gasoline and hydraulic fluid. She has requested that the Township Committee ask the Zoning Officer to please start looking into these properties from time to time. Deputy Mayor Burke responded to Mrs. McNicol, as he told her that the Township Committee has spoken to the Zoning Officer already, and a new policy has been in force. He will be investigating several areas, not only ones that have been from complaints, but also obvious issues.

Terry Jones Director of the Arcadia Bird Sanctuary in Freehold NJ was present to distribute a proposal to the Committee members. They would like to relocate their Sanctuary and Educational Center into the Hunterdon County area where local residents can discover the wonders of birds. Ms. Jones explained they are in need of additional room. The Committee members thanked Ms. Jones for the presentation and explanation.

Diane Hanley, Spring Hill Road Asked the Committee members if they knew how wide Spring Hill Road will be when worked on, and if the trees in the front of her home will have to be cut down. Mr. Burke responded that the road will only be widened 20 feet, and that it was up to the D.O.T. and Township Engineer to decide.

Alan Runfield, Route 519 Requested that the Committee inform residents of any special meetings that the Township plans on having in the future. Mr. Burke responded. Any special meetings or changes in the regular dates that are scheduled are advertised in the local newspaper for the residents to be informed. Mr. Runfield also suggested that a sign be put out front of the building of all the meetings/happenings going on in the Township. The Committee all agreed that would be a good idea and would think about it for the future. Mr. Runfield also thanked Mrs. Niemann for dropping by his home to inform him of the special meeting earlier. He noted that he is very glad he attended.

REPORTS

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

Tax Collector's Report of May 2008
Construction Department Reports of May 2008 and June 2008
Zoning Permits Report of June 2008

Township Engineer's Monthly Report

Deputy Mayor Burke reviewed an update of the projects that are being worked on at this time.

PARIS Grant Update

Clerk MacConnell reviewed an update on the PARIS Grant. The Committee members would like the Clerk to get an idea of whether or not the Township will actually receive any money from the grant.

FUTURE MEETINGS AND ACTIVITIES

Mayor Augustine reviewed as per the Agenda.

ORDINANCE NO. 15-11-2008 TO PROVIDE FOR THE RESURFACING OF ROADS AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$50,000 FROM THE CAPITAL IMPROVEMENT FUND VOL.15, PG.15-11– 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 2nd day of June, 2008. The Ordinance was published in the Delaware Valley News on June 12, 2008 and has been posted in the Kingwood Township Municipal building on June 2nd, 2008. Copies of the Ordinance have been available for inspection by the public since June 2nd, 2008.

It was moved by Mrs. Niemann seconded by Mr. Burke 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 TO PROVIDE FOR THE RESURFACING OF ROADS AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$50,000 FROM THE CAPITAL IMPROVEMENT FUND.**

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

ORDINANCE NO. 15-12-2008 PROVIDING FOR THE ACQUISITION AND/OR PRESERVATION OF OPEN SPACE APPROPRIATING \$1,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,425,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF VOL.15, PG.15-12– 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 2nd day of June, 2008. The Ordinance was published in the Delaware Valley News on June 12, 2008 and has been posted in the Kingwood Township Municipal building on June 2nd, 2008. Copies of the Ordinance have been available for inspection by the public since June 2nd, 2008.

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

Public Comments:

Deputy Mayor Burke asked C.F.O. D. Laudenbach to clarify the ordinance.

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 **PROVIDING FOR THE ACQUISITION AND/OR PRESERVATION OF OPEN SPACE APPROPRIATING \$1,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,425,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.**

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

A member of the Parks and Recreation Committee, Mr. Antimo Russano wanted the Committee members to know that he attended the Fishing Derby, which was held on June 14, 2008, and said it turned out very well. He wanted them to know that the pond needs work and the algae removed from the top. Would like to be better prepared for next years Derby. Mr. Burke responded.

ORDINANCE NO. 15-13-2008 AMENDING ORDINANCE SECTION 57-10, "FEES FOR KENNEL AND PET SHOP LICENSES" VOL.15, PG.15-13– 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 2nd day of June, 2008. The Ordinance was published in the Delaware Valley News on June 12, 2008 and has been posted in the Kingwood Township Municipal building on June 2nd, 2008. Copies of the Ordinance have been available for inspection by the public since June 2nd, 2008.

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

Public Comments: Mr. Burke asked for clarification on the fees and what the statutes allow.

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 Mrs. Niemann, seconded by Mr. Burke and carried the motion to adopt on final reading **AMENDING ORDINANCE SECTION 57-10, “FEES FOR KENNEL AND PET SHOP LICENSES”**.

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

ORDINANCE NO. 15-14-2008 TO AMEND THE TOWNSHIP’S DEVELOPMENT FEE ORDINANCE VOL.15, PG.15-14– 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 2nd day of June, 2008. The Ordinance was published in the Delaware Valley News on June 19, 2008 and has been posted in the Kingwood Township Municipal building on June 2nd, 2008. Copies of the Ordinance have been available for inspection by the public since June 2nd, 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

Deputy Mayor Burke reviewed the ordinance.

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 Mrs. Niemann, seconded by Mr. Burke and carried to adopt on final reading **TO AMEND THE TOWNSHIP’S DEVELOPMENT FEE ORDINANCE.**

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

ORDINANCE

ORDINANCE No. 15-15-2008 REGULATING SOIL REPLACEMENT IN THE TOWNSHIP –Introduction and Adoption on First Reading

Mayor Augustine read the Ordinance aloud which was introduced.

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried to adopt on first reading **AN ORDINANCE REGULATING SOIL REPLACEMENT IN THE TOWNSHIP.**

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

Consideration of final adoption at a public hearing is scheduled for Monday, August 11, 2008 at a meeting beginning at 7:00 P.M. at the municipal building.

ORDINANCE NO. 15-16-2008 TO PROVIDE FOR THE RENOVATIONS TO THE MUNICIPAL BUILDING AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$10,000 FROM THE CAPITAL IMPROVEMENT FUND RESERVE VOL.15, PG.15-16– 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 2nd day of June, 2008. The Ordinance was published in the Delaware Valley News on June 12, 2008 and has been posted in the Kingwood Township Municipal building on June 2nd, 2008. Copies of the Ordinance have been available for inspection by the public since June 2nd, 2008.

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

Public Comments:

Jack MacConnell, Spring Hill Road thanked the Committee members for putting the funds towards repairing the municipal building.

It was moved by Mr. Burke, seconded by Mrs. Niemann 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 TO PROVIDE FOR THE RENOVATIONS TO THE MUNICIPAL BUILDING AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$10,000 FROM THE CAPITAL IMPROVEMENT FUND RESERVE.**

Roll Call Vote:

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

ORDINANCE NO. 15-17-2008 TO PROVIDE FOR THE FIRST AID ORGANIZATION BUILDING – REMEDIATION PROJECT AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$10,000 FROM THE CAPITAL IMPROVEMENT FUND RESERVE FOR FIRST AID ORGANIZATION BUILDING – REMEDIATION PROJECT VOL.15, PG.15-17–
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 2nd day of June, 2008. The Ordinance was published in the Delaware Valley News on June 12, 2008 and has been posted in the Kingwood Township Municipal building on June 2nd, 2008. Copies of the Ordinance have been available for inspection by the public since June 2nd, 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:

Sandra McNicol, Oak Grove Road asked about the improvements and what they would involve. Mr. Burke responded.

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 Mrs. Niemann, seconded by Mr. Burke and carried the motion to adopt on final reading **AN ORDINANCE TO PROVIDE FOR THE FIRST AID ORGANIZATION BUILDING – REMEDIATION PROJECT AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$10,000 FROM THE CAPITAL IMPROVEMENT FUND RESERVE FOR FIRST AID ORGANIZATION BUILDING – REMEDIATION PROJECT.**

Roll Call Vote:

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

RESOLUTION

RESOLUTION NO. 2008 – 111

CAPITAL BUDGET AMENDMENT

WHEREAS, the Capital Budget of the Township of Kingwood was approved on June 17, 2008; and

WHEREAS, it has been determined that said Capital Budget must be amended due to a change in Municipal priorities.

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 following amendment to the Capital Budget of the Township of Kingwood is here by amended as follows:

**CAPITAL BUDGET
LOCAL UNIT TOWNSHIP OF KINGWOOD**

PLANNED FUNDING SERVICE FOR CURRENT YEAR 2008

Project	Estimated Total Cost	Debt Authorized	Other Funds
Acquisition of Open Space	\$ 1,500,000.00	\$ 1,425,000.00	\$ 75,000.00
Total All Projects	\$ 1,500,000.00	\$ 1,425,000.00	\$ 75,000.00

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

Roll Call Vote:

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

ORDINANCE

ORDINANCE No. 15-18-2008 TO PROVIDE FOR THE PURCHASE OF OPEN SPACE FOR THE TOWNSHIP AND APPROPRIATING \$301,395.00 FROM THE OPEN SPACE TRUST FUND AND DEDICATED COUNTY OPEN SPACE FUNDS

FUNDS – Introduction and Adoption on First Reading

Mayor Augustine read the Ordinance aloud which was introduced.

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried the motion to adopt on first reading **AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF OPEN SPACE FOR THE TOWNSHIP AND APPROPRIATING \$301,395.00 FROM THE OPEN SPACE TRUST FUND AND DEDICATED COUNTY OPEN SPACE FUNDS.**

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

Consideration of final adoption at a public hearing is scheduled for Monday, August 11, 2008 at a meeting beginning at 7:00 P.M. at the municipal building.

ORDINANCE

ORDINANCE No. 15-19-2008 TO PROVIDE FOR THE PURCHASE OF MUNICIPAL EQUIPMENT AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$132,000.00 FROM THE CAPITAL IMPROVEMENT FUND AND EQUIPMENT – Introduction and Adoption on First Reading

Mayor Augustine read the Ordinance aloud which was introduced.

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried the motion to adopt on first reading **AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF MUNICIPAL EQUIPMENT AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP AND APPROPRIATING \$132,000.00 FROM THE CAPITAL IMPROVEMENT FUND AND EQUIPMENT.**

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

Consideration of final adoption at a public hearing is scheduled for Monday, August 11, 2008 at a meeting beginning at 7:00 P.M. at the municipal building.

RESOLUTIONS

The following Resolution was introduced:

RESOLUTION NO. 2008 – 112

WHEREAS, the Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide Program Funds in connection with municipal acquisition of lands for recreation, conservation and general open space purposes; farmland preservation; preparation of plan elements of a municipal Master Plan, and restoration of County owned or Municipal owned historic facilities.

The Kingwood Township Committee desires to obtain Open Space Trust Funds in the amount of \$104,049.62 to fund the following project(s):

Acquisition of Equestrian Village
Block 14 Lots 28.02 and Lot 30
Kingwood Township, New Jersey

NOW, THEREFORE, the Township Committee resolves that:

1. James L. Burke, Deputy Mayor, is authorized to: (a) make an application to the County of Hunterdon for Open Space Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Grants Program and (c) act as the principal contact person and correspondent of the above named municipality.

2. If the County of Hunterdon determines that the application is complete and in conformance with the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan and the Policies and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such adopted policies and procedures, and applicable State and local government rules, regulations and statutes thereto.

3. James L. Burke, Deputy Mayor, is hereby authorized to sign and execute any required documents and agreements with the County of Hunterdon for the approved Open Space Trust Funds.

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 – 113

**RESOLUTION AUTHORIZING APPLICATION OF PROCEEDS
OF THE SALE OF MUNICIPAL ASSETS**

WHEREAS, Kingwood Township is proposing to sell their 1973 Ford L800, Serial Number K80CVS11365, and

WHEREAS, Kingwood Township is desirous of applying the proceeds from the sale of the aforementioned equipment to the Capital Improvement Fund – Reserve for Municipal Equipment.

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 take the proceeds and credit the Capital Improvement Fund – Reserve for Municipal Equipment.

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 – 114

LIQUOR LICENSE APPLICATION RENEWALS

WHEREAS, application has been made to the Kingwood Township Committee for the renewal of a Plenary Retail Consumption License for the 2008-2009 licensing period; and

WHEREAS, the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, at a meeting assembled, has reviewed the application and the submitted application form is complete in all respects, the applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations, and the issuing authority has reviewed the source of any additional financing obtained in the previous license term for use in the licensed business; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the following Plenary Retail Consumption License be hereby renewed for the 2008-2009 licensing period effective July 1, 2008:

1016-33-04-05 **BTS Enterprises LLC**
1121 Highway 12
Frenchtown, NJ 08825

Municipal Fee: \$2,500.00 State Fee: \$200.00
Plenary Retail Consumption License

Committeewoman Elaine Niemann explained she reviewed the minutes and tapes of the last public hearing for this establishment. There was an issue regarding the noise level coming from the business and it being too loud for the residents living nearby. There were a few residents that attended the recent public hearing for this establishment and explained their concerns about the noise. The owners of BTS Enterprises LLC agree to be receptive towards the residents that are unhappy about the noise situation. It was discussed that a letter will be addressed to the resident and inform them to contact the owner of the establishment.

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 - 115

DEDICATION BY RIDER

WHEREAS, N.J.S.A. 40A:4-39 provides for the anticipation and expenditures of certain items of dedicated revenues which are not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 also provides that such anticipation and expenditures of dedicated revenue is subject to the approval of the Director of the Division of Local Government Services; and

WHEREAS, it is the desire of the Township Committee of the Township of Kingwood to anticipate and expend certain dedicated revenues; and

WHEREAS, the Township Committee wishes to provide for the availability of the expenditure of said dedicated revenues in accordance with its wishes and desires as directed by the Township Committee and as approved by the director of the Division of Local Government Services, which Director may require such explanatory statements or data in connection therewith as he deems advisable for the information and protection of the public.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Division of Local Government Services in the Department of Community Affairs, be and is hereby requested to give his written consent to the insertion, under the dedication by rider in the budget for 2008 of the following:

WELL WATER SUPPLY TRUST

BE IT FURTHER RESOLVED that two (2) certified copies of this Resolution be furnished to the said Director of the Division of Local Government Services.

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 - 116

DEDICATION BY RIDER

WHEREAS, N.J.S.A. 40A:4-39 provides for the anticipation and expenditures of certain items of dedicated revenues which are not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 also provides that such anticipation and expenditures of dedicated revenue is subject to the approval of the Director of the Division of Local Government Services; and

WHEREAS, it is the desire of the Township Committee of the Township of Kingwood to anticipate and expend certain dedicated revenues; and

WHEREAS, the Township Committee wishes to provide for the availability of the expenditure of said dedicated revenues in accordance with its wishes and desires as directed by the Township Committee and as approved by the director of the Division of Local Government Services, which Director may require such explanatory statements or data in connection therewith as he deems advisable for the information and protection of the public.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Division of Local Government Services in the Department of Community Affairs, be and is hereby requested to give his written consent to the insertion, under the dedication by rider in the budget for 2008 of the following:

WELL WATER MONITORING TRUST

BE IT FURTHER RESOLVED that two (2) certified copies of this Resolution be furnished to the said Director of the Division of Local Government Services.

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried 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 – 117

AUTHORIZATION TO OPEN CHECKING ACCOUNTS

WHEREAS, the Kingwood Township Board of Health has adopted Ordinance No. 2007-01 and subsequent amendments; and

WHEREAS, the above mentioned Ordinance requires the establishment of two separate trust funds for the deposit of escrow monies.

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 open the following trust funds:

**BOARD OF HEALTH – WELL WATER SUPPLY TRUST
BOARD OF HEALTH – WELL WATER QUALITY MONITORING TRUST**

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 – 119

SUPPORT OF A-15 ELECTION OF SCHOOL BOARD MEMBERS

WHEREAS, the Township of Kingwood strongly supports Senate bill A-15.

WHEREAS, bill A-15 provides that the election of school board members would take place in the November general election; and

WHEREAS, the schools would be subject to a budget vote only in the event that their budget exceeds cap.

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NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey, hereby supports bill

A-15, which provides for the election of school board members at the November general election, and eliminates voting on school budgets except for separate proposals to spend above cap, which will also occur at the general election.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Superintendent of Schools, the Delaware Valley Regional High School Board of Education, the Kingwood Township Elementary School Board of Education, Senator Leonard Lance, Senator Steven V. Oroho, Assemblyman Michael J. Doherty, Assemblywoman Marcia Karrow, Assemblywoman Alison McHose, and Assemblyman Gary R. Chiusano.

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

NEW BUSINESS

Service Electric Cable TV of Hunterdon Inc. – Request for Consent

Deputy Mayor Burke commented that he has had a lot of requests from many residents for other options other than Service Electric for their cable and internet service. The residents would like a chance to voice their opinions. Many people are not happy with their current service. It was discussed when the franchise with Service Electric would be ending. A public hearing will be scheduled for September 2, 2008 at 7:00 P.M., before the Township Committee's regular meeting. A decision must be made after 30 days following a public hearing.

Hazard Mitigation Plan Revisions

Diane Laudenschach, C.F.O. noted that J. Zdrodowski has exceeded the quotation requirements, and that this must be under a professional services agreement. Deputy Mayor Burke will request that J. Zdrodowski submit an agreement.

Planner's Services Regarding COAH

Diane Laudenschach, C.F.O. discussed with the Committee members where to use the funds to pay the planner for his COAH services. It was suggested using the funds out of the COAH account, with there being a limit of how much may be used.

Estate of Helen Gergar

Mayor Augustine reviewed letter from Helen Gergar's Attorney, Thomas F. DiBianca, regarding the will of Helen Gergar. Township Attorney J. Kopen reviewed the letter and noted that this is just informational at this point. There will be a deed that will be transferred to the Township at the time of the transfer of land. There was a discussion on Helen's wishes as far as the continuation to farming the land. All the contents of the home and barns will be sold at an auction and the funds from the sale will go to maintain the property and the orchards.

Authorize Home Depot Account

Deputy Mayor Burke noted that the Township Officials are no longer allowed to have individual credit cards, but the Township can apply for individual accounts from stores such as Home Depot. These accounts will be used to purchase supplies for the Parks and Recreation Committee, and for he Park Director to purchase items for repairs.

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried the motion to authorize to purchase a Home Depot account for the Township's use to purchase supplies.

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

Authorize Bond Anticipation Note Sale

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried the motion to authorize the sale of a bond anticipation note for \$950,000 for preservation of the Equestrian Village properties .

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

Deputy Mayor Burke noted that this will come out of the Township's current Open Space tax, and there will be no additional taxes or levy for this purchase.

Application for Raffle License – RA 2008-01

The Committee members reviewed the raffle license application.

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried the motion to approve application from the Woman’s Club of Flemington to hold a raffle at Razberry’s Banquet Center on October 24, 2008 at 2:00 P.M.

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

Formation of Non-Profit for Benefit of Kingwood Township Animal Control

Committeewoman E. Niemann introduced Linda Finks, who was present to discuss a charity for animal welfare. She introduced herself and shared a bit of info about herself. She explained how she is very interested in setting up a charity to raise funds for an animal welfare. It was suggested to call the charity West Hunterdon Animal Welfare Fund. She explained that she is looking for volunteers to begin the program, and they need to raise \$1000.00 to set up to start. Mayor Augustine and Deputy Mayor Burke offered to be volunteers.

Amendment to Chapter 86 – Junkyards

The Committee members would like to table this till next month.

OLD BUSINESS

Authorize funds for Clean Communities Program on Community Day

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried the motion to authorize up to \$1000.00 of the clean communities monies to be spent for the program previously presented for Community Day to the Township Committee.

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

Raritan Valley Habitat for Humanity

Deputy Mayor Burke reviewed a sample agreement for Habitat for Humanity. They will be building units for affordable housing. Deputy Mayor Burke will contact them to clarify the agreement.

Clerk Reports

Clerk MacConnell reported that Assemblywoman Marsha Karrow called, and would like for the Mayor to call her office.

MINUTES

April 8, 2008 Special Meeting

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried the motion to adopt the Special Meeting minutes of April 8, 2008 and place on file.

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

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried the motion to table the following minutes until the August 11, 2008 meeting. The Committee members requested to review them further.

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

May 6, 2008 Regular Meeting

May 6, 2008 Executive Session

May 20, 2008 Special Meeting

June 2, 2008 Regular Meeting

June 2, 2008 Executive Session

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried the motion to adopt the Executive Session Meeting minutes of June 2, 2008 and place on file.

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

Following a brief recess, at approximately 8:50 P.M., the following Resolution was introduced to enter into closed session:

RESOLUTION NO. 2008 – 118

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 – Employee Handbook and Manual, Health Benefits

Litigation – Michalenko, Tax Appeals

Possible Litigation – Code Enforcement Report, Brown

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

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Roll Call Vote: AYE - Burke, Niemann, Augustine

NAY - None
ABSTAIN - None
ABSENT - None

RETURN TO REGULAR SESSION

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried to return to regular session at 9:40 P.M. **All** voted **Aye** on **Roll Call Vote**.

It was moved by Mrs. Niemann, seconded by Mr. Burke and carried the motion to approve a prescription cost payment as specified in the voucher to James L. Brown.

Roll Call Vote:

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

Committeewoman Elaine Niemann reported on the dog canvassing progress. She stated that there are 430 more dogs in Kingwood than what the Township new about, and 254 of them that have already licensed, and the remaining were notified that they need to be licensed.

It was moved by Mr. Burke, seconded by Mrs. Niemann and carried to adjourn the meeting of the Township Committee at 9:43 P.M. **All** voted **Aye** on **Roll Call Vote**.

Respectfully Submitted,

Cynthia L. Keller, RMC
Deputy Clerk