

2009 – 217

AUGUST 11, 2009

A Special Meeting of the Kingwood Township Committee was called to order at 6:00 P.M. with Mayor Niemann presiding.

Also present at the meeting were Committeemen Burke and Lubitz, Township Engineer Tom Decker, DPW Road Supervisor Jack Search and Clerk MacConnell. Following the salute to the Flag, Mayor Niemann read aloud the following:

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act by publication of the notice in the Hunterdon County Democrat and Courier News on August 6, 2009 and by telefaxing copies of the notice to the Express Times and Star Ledger on August 4, 2009. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on August 4, 2009.

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.

Long Term Plan For Township Roads

Mr. Search began by explaining that to maintain the roads, he needs to be able to oil and chip at least ten miles of road per year, at an approximate cost of \$11,000 per mile. As his budget does not cover that much, he has cut back to about five miles per year for the last few years, and he feels the damage is beginning to show on some of the roads. He commented on the increase in prices of salt and other maintenance materials. There is approximately \$50,000 left in his budget for the remainder of this year, but \$30,000 of that is already earmarked for salt and cinders. Mr. Decker doesn't see the possibility of oil prices coming down any time in the foreseeable future.

Mr. Burke suggested having a separate line within the budget for maintenance items for vehicles. He also feels if the committee members must budget more, then at least ten miles of oil and chip should be getting done every year.

Discussion then turned to the State DOT Grant Program. Application time is usually May of each year, while the committee members work on the budget in January. If a grant is obtained for any road, there is always an amount that must be paid by the Township as certain expenses can not be paid with grant money. The following roads were identified and discussed as being those most in need and most likely candidates for the grant program: Ridge Road – 4500' at approximately \$112,000, Oak Summit Road –

9000' at approximately \$189,000, Hammar Road – 4600' at \$90,000 and the hill area of Tumble Falls Road. Mr. Decker will look at the roads mentioned in regard to any DEP issues. These can be worked on if there is a likelihood of any of the roads being applied for in the future.

The committee members discussed the above mentioned roads in regard to the grant program, which roads and when to best be successful in obtaining a grant, budgeting municipal money to partially pay for any roads receiving a grant, and the State requirements under the grant program for the actual construction of the roads such as the width of the road. There is some concern that the State DOT would object to the narrow width of Hammar Road, and make a grant contingent on widening it. It was agreed that if Mr. Decker could investigate the DOT requirements a little ahead of time, the committee members will be able to decide if an application for a grant is appropriate. Otherwise, the Township will completely pay for the road work themselves without applying for a grant as they do not wish to widen Hammar Road.

Mr. Burke feels the Township really needs to plan to accomplish approximately twelve miles of oil and chipping and one mile of overlay each year. Overlay costs approximately \$112,000 per mile at current prices.

Milltown Road

The committee members authorized Mr. Search to repair the access off Milltown Road at the Russano property, as this has been a long standing item. In addition, the approximately \$500 cost of the repair will be transferred back into the Road budget in November, when transfers are able to be made.

Horseshoe Bend Road

Mayor Niemann reported having been contacted by resident Ted Olszyk, a resident of the above captioned road in the Township, in regard to the poor condition of the Frenchtown Borough portion of the road. Mr. Search commented on his past offers to Frenchtown to assist with the repair of the road if Frenchtown Borough would provide the materials. These past efforts have never been successful. It was suggested that a letter should be written to Mayor Sworen, making the point that many Kingwood residents would like to utilize the road but may be deciding to avoid it due to the poor driving conditions, and the merchants in town could be losing business as a result.

Kingsridge Development

Mayor Niemann asked if the homeowners association in the above captioned development is responsible for maintaining the detention pond, as it does not seem as if it

is being taken care of. Mr. Search explained the location of an additional detention pond in the development. There was also some discussion on the lack of basin reports which are required to be submitted from developers. It was agreed the Township needs to identify the homeowners association and write a letter to them.

Equipment

Mayor Niemann asked about depreciating equipment. Mr. Search noted that since the Park Director takes the mason dump for cutting the grass at the various Township properties, this creates a problem with the DPW Road Department having to make more than one trip sometimes as they only have the use of the pickup. Mr. Search commented that he really needs the use of a pickup for small trips for parts, etc., as well as the mason dump and he asked the committee members to consider purchasing a new mason dump in addition to the one we already have.

Joint Road Maintenance Agreement

The committee members have reviewed a copy of the Joint Contract For The Joint Maintenance Of Roads In The Townships Of Kingwood, Franklin And Delaware. Mr. Search feels the agreement has worked very well over the years, he is very satisfied with it, and he briefly explained how it works.

Mr. Burke commented on the possibility of making it a more formal agreement in order to be able to take advantage of grants. Mayor Niemann will contact Michael Cappabianco of Hunterdon County Shared Services to find out if there is any grant money available.

REPAIRS TO MUNICIPAL BUILDING

Mayor Niemann reported the remediation performed to the downstairs, which was flooded last weekend, is now completed. Mr. Burke has arranged for a concrete contractor to take a look at the building downstairs with the idea of pouring solid concrete walls with a new door being fitted right into the concrete, and also installing a bigger drain outside the door. Mayor Niemann noted that Friday will be a workday to clean up the boxes and papers downstairs that are currently on the front counter and in the conference room.

MINUTES

It was moved by Mr. Lubitz, seconded by Mr. Burke and carried to adopt and place on file the minutes of July 2, 2009 Regular Meeting, including the following corrections made by Mayor Niemann:

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Pg 2009-181 - under Ordinance No. 15-09-2009, last sentence on page reads “has closed on this property,”, is now corrected to read “has completed a tax foreclosure on this property,”

Pg 2009-189 - under Municipal Alliance Renewal Application 2010, last sentence in first paragraph reads “the Township Committee to approve that Kingwood would”, is now corrected to read “the Township Committee to acknowledge that Kingwood would”

Pg 2009-190 - under West Hunterdon Animal Welfare Non-Profit, third sentence reads “the use of funds from the Dog Animal Fund to use for a donation.”, is now corrected to read “the use of funds from the Dog License Account to use for a donation.”

Pg 2009-193 - under Agriculture Advisory Committee corrected “jointed” to “joined”

Roll Call Vote: **AYE** – Burke, Niemann
 NAY – None
 ABSTAIN Lubitz
 ABSENT – None

RESOLUTIONS

The following Resolution was introduced:

Resolution No. 2009 - 97
Authorizing Award Of Survey Work

WHEREAS, the Township of Kingwood requires survey, property description and monumentation work (hereinafter “survey work”) in connection with Block 12, Lot 31 on the tax map of the Township of Kingwood (commonly known as “Deer Run aka Frenchtown Run”) in order to facilitate the open space purchase of the property and to comply with requirements of the New Jersey Department of Environmental Protection Green Acres program; and

WHEREAS, the Township of Kingwood received a proposal for the survey work and has determined to use the services of Taylor, Wiseman & Taylor, Engineers and Surveyors, (hereinafter, “TWT”) to perform the survey work, as is more specifically described in the proposal of TWT, attached hereto and made a part hereof as Exhibit A,

for the total amount of \$13,550.00, plus expense reimbursement not to exceed \$250.00, which amount is less than the statutory bid threshold; and

WHEREAS, funds are or will be made available for this purpose to be certified by the Chief Financial Officer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, *et seq.*) authorizes the hiring of a professional, such as a surveyor or engineer, without competitive bidding providing that the amount to be paid for the work of the professional is less than the bid threshold set forth in the law.

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

1. Taylor, Wiseman & Taylor is hereby engaged to perform professional surveyor services for the Township of Kingwood in connection with Block 12, Lot 31 on the tax map of the Township of Kingwood (commonly known as “Deer Run aka Frenchtown Run”) in order to facilitate the open space purchase of the property and to comply with requirements of the New Jersey Department of Environmental Protection Green Acres program, per the proposal of TWT executed by TWT on June 24, 2009, which is attached hereto and made a part hereof as Exhibit A.
2. This contract is awarded without competitive bidding as "Professional Services" as well as being in an amount for less than the bid threshold under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

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

Roll Call Vote: **AYE** – Burke, Lubitz, Niemann
 NAY – None
 ABSTAIN – None
 ABSENT – None

ADJOURNMENT

It was moved by Mr. Burke, seconded by Mr. Lubitz and carried to adjourn the meeting at 7:30 PM. All voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Mary E. MacConnell, RMC
Township Clerk