

2005 –

DECEMBER 13, 2005

A Special Meeting of the Kingwood Township Committee was called to order at 7:40 P.M. with Mayor Stephen Rawlyk presiding.

Also present at the meeting were Committeemen Burke, and Zdepski, Counsel for COAH Edward Halpern, and Clerk MacConnell.

Following the salute to the flag, Mayor Rawlyk 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 on December 8, 2005 and by telefaxing copies of the notice to the Courier News and Star Ledger on December 5, 2005. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on December 5, 2005.

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.

RESOLUTIONS

PETITIONING NJ COAH FOR SUBSTANTIVE CERTIFICATION
RESOLUTION NO. 2005-117

The Kingwood Township Planning Board was also present to conduct a meeting, and Chairman Lutz had called the Planning Board meeting to order. Att’y. Halpern advised it would be appropriate for the Planning Board to hold their meeting first. The Planning Board voted to open the public hearing.

Att’y. Halpern, Special Counsel for COAH, stated the Planning Board and the Township Committee will be having a joint meeting for the introduction and adoption of the Master Plan Housing Element and Fair Share Plans. E. Halpern briefly summarized the plan and the Township’s obligations and how it will be met. E. Halpern and David Banish, Planner for the Township responded to several of the Planning Board Members.

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Beth Pandy, Spring Hill Road Asked for clarification of the term “builders remedy”. Att’y. Halpern responded.

Resolution No. 2005-29 – Adopting an Amended Housing Element and Fair Share Plan was adopted by the Planning Board.

The following Resolution was introduced:

RESOLUTION NO. 2005-117

**RESOLUTION OF THE KINGWOOD TOWNSHIP COMMITTEE
PETITIONING THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING
FOR THIRD ROUND SUBSTANTIVE CERTIFICATION BASED ON AN
ADOPTED HOUSING ELEMENT AND FAIR SHARE PLAN**

WHEREAS, the Kingwood Township Planning Board has considered an Amended Housing Element and Fair Share Plan at a meeting of the Planning Board held on December 13, 2005 and adopted said “Amended Housing Element and Fair Share Plan” as part of the Master Plan of the Township of Kingwood; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Amended Housing Element and Fair Share Plan is attached hereto pursuant to N.J.S.A. 5:95-2.2 (a) 2;

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that it hereby endorses this Amended Housing Element and Fair Share Plan as adopted by the Kingwood Township Planning Board; and

BE IT FURTHER RESOLVED, that the Township Committee of the

Township of Kingwood, County of Hunterdon, pursuant to the provisions of N.J.S.A 52:27D-301 et seq. and N.J.A.C. 5:95-3.2, submits this Resolution Petition for Substantive Certification of the Amended Housing Element and Fair Share Plan to the New Jersey Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that the only owner of sites in the Amended Housing Element and Fair Share Plan is the Township Kingwood.

BE IT FURTHER RESOLVED that Kingwood Township shall, in accordance with COAH Rule N.J.A.C. 5:95-3.5, publish notice of this Petition for Substantive Certification in a newspaper of general circulation within the Municipality and County within seven days of issuance of the notification letter from COAH's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted amended housing element and fair share plan and all supporting documentation be made available for public inspection at the Kingwood Township Clerk's Office between 9 a.m. and 3:00 p.m. Monday, Wednesday and Friday and 9 a.m. and 12 p.m. Tuesday and Thursday at the Municipal Building located at County Road 519 and Oak Grove Road in Kingwood Township for a period of 45 days following the date of publication of said legal notice pursuant to N.J.A.C. 5:95-3.5. Comments or objections to said Petition for Substantive Certification shall be filed with the New Jersey Council on Affordable Housing, 101 South Broad Street, P.O. Box 813, Trenton, New Jersey 08625-0813 and with the Township Clerk within the aforementioned 45 day time period.

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

Roll Call Vote:	AYE	- Burke, Zdepski, Rawlyk
	NAY	- None
	ABSTAIN	- None
	ABSENT	- None

RESOLUTION

OPEN SPACE PURCHASE BLOCK 14 LOT 35 – RESOLUTION NO. 2005-118

There was a brief discussion before introducing the Resolution.

The following Resolution was introduced:

**RESOLUTION NO. 2005 – 118
OPEN SPACE PURCHASE BLOCK 14 LOT 35**

WHEREAS, the Kingwood Township Committee has received a recommendation from the Kingwood Township Open Space Advisory Committee; and

WHEREAS, the recommendation requests the Kingwood Township Committee to utilize the Township’s Open Space funds and also the Township’s Green Acres Grant funds toward the purchase of the conservation easements on Block 14, Lot 35 on Fairview Road; and

WHEREAS, this would be in cooperation with the Hunterdon Land Trust Alliance and the State Green Acres Program; and

WHEREAS, the Kingwood Township Committee has discussed and reviewed the recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey to make a commitment of open space funds not to exceed \$37,500.00, and Green Acres Grant funds not to exceed \$37,500.00, towards the purchase of the conservation easements of the Flagg property known as Block 14 Lot 35, on Fairview Road;

BE IT FURTHER RESOLVED that the commitment is conditioned upon the State acquiring the 104 acres of the parcel and upon the Hunterdon Land Trust Alliance assuming complete responsibility for the easement in regard to enforcement and monitoring the easement.

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

Roll Call Vote:	AYE	- Burke, Zdepski, Rawlyk
	NAY	- None
	ABSTAIN	- None
	ABSENT	- None

ADJOURNMENT

It was moved by Mr. Burke, seconded by Mr. Zdepski and carried to adjourn the meeting at 8:00 P.M.

All voted Aye on Roll Call Vote.

Respectfully submitted,

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