

2005 –

**December 30, 2005**

A Special Meeting of the Kingwood Township Committee was called to order at 8:00 A.M. with Mayor Rawlyk presiding.

Also present at the meeting were Deputy Mayor Burke, and Clerk MacConnell.

**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 22, 2005 and by telefaxing copies of the notice to the Express Times, Courier News and Star Ledger on December 19, 2005. Copies of the notice were also posted in the Kingwood Township Municipal Building and Baptistown Post Office on December 19, 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**

The following Resolutions were introduced:

**RESOLUTION NO. 2005-119**

**REFUND RESOLUTION**

**WHEREAS**, Block 40, Lot 26.01 had become exempt from real estate taxes in 2005 due to the ownership of the New Jersey DEP, and

**WHEREAS**, the first quarter of 2005 was paid in the amount of \$991.20.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the treasurer be authorized to issue a refund to State of NJ – Dept of Env. Protection, 401 East State Street, Trenton, New Jersey, 08625 in the amount of \$991.20.

It was moved by Mr. Burke to adopt the foregoing Resolution. Mayor Rawlyk stepped down from the chair, seconded and carried the motion.

**2005 -**

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

**RESOLUTION NO. 2005 – 120**

**REFUND RESOLUTION**

**WHEREAS**, Block 40, Lot 20 had become exempt from real estate taxes in 2005 due to the ownership of the New Jersey DEP, and

**WHEREAS**, the first quarter of 2005 was paid in the amount of \$4,693.50.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the treasurer be authorized to issue a refund to State of NJ – Dept of Env. Protection, 401 East State Street, Trenton, New Jersey, 08625 in the amount of \$4,693.50.

It was moved by Mr. Burke to adopt the foregoing Resolution. Mayor Rawlyk stepped down from the chair, seconded and carried the motion.

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

**RESOLUTION NO. 2005 – 121**

**REFUND RESOLUTION**

**WHEREAS**, Block 41, Lot 22 had become exempt from real estate taxes in 2005, and

**WHEREAS**, the first and second quarter of 2005 were paid in the amount of \$151.20.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the treasurer be authorized to issue a refund to Judith Ubel, 115 Federal Twist Road, Stockton, New Jersey, 08559.

**2005 –**

It was moved by Mr. Burke to adopt the foregoing Resolution. Mayor Rawlyk stepped down from the chair, seconded and carried the motion.

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

**RESOLUTION NO. 2005 – 122**

**2005 BUDGET APPROPRIATION TRANSFERS**

**BE IT RESOLVED**, by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to make the following transfers within the 2005 Budget Appropriations:

From:

Administrative and Executive – Salary & Wage	\$2,250.00
Elections – Other Expense	\$ 500.00
Financial Administration - Salary & Wage	\$2,000.00
Financial Administration - Other Expense	\$ 900.00
Revenue Administration - Other Expense	\$ 550.00
Emergency Management – Other Expense	\$ 100.00
Construction – Other Expense	\$1,000.00
Parks and Playgrounds – Other Expense	\$ 500.00
Historian – Other Expense	\$ 100.00

To:

Board of Adjustment – Salary & Wage	\$ 300.00
Environmental Commission – Other Expense	\$ 550.00
Street Lighting – Other Expense	\$ 350.00
Buildings and Grounds – Other Expense	\$2,500.00
Bulk & Utility Expenses – Electricity	\$ 800.00
Bulk & Utility Expenses – Heating Oil	\$2,500.00
Social Security	\$ 900.00

It was moved by Mr. Burke to adopt the foregoing Resolution. Mayor Rawlyk stepped down from the chair, seconded and carried the motion.

2005 –

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

**BILL AND CLAIMS**

It was moved by Mr. Burke to approve and pay the bills and claims that are in order and attached as **Bill List** for the remainder of **December 2005**. Mayor Rawlyk stepped down from the chair, seconded and carried the motion.

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

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2005 – 123**

**REAFFIRMING ADOPTION OF  
RESOLUTION NO. 2005-118**

**WHEREAS**, the Kingwood Township Committee held a Special Meeting on Tuesday, December 13, 2005; and

**WHEREAS**, among the items of business was Resolution No. 2005-123 regarding an Open Space Purchase of Block 14 and Lot 35, which Resolution was adopted on December 13, 2005;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Kingwood, County of Hunterdon, State of New Jersey that the committee members strongly reaffirm the action taken by the adoption of Resolution No. 2005-118.

It was moved by Mr. Burke to adopt the foregoing Resolution. Mayor Rawlyk stepped down from the chair, seconded and carried the motion.

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

**RESOLUTION**

The following Resolution was introduced:

**RESOLUTION NO. 2005 - 124**

**FOR ADOPTING CHANGES TO AN EXISTING  
DEFERRED COMPENSATION PLAN PURSUANT TO THE  
JOB CREATION AND WORKER ASSISTANCE ACT OF 2002,  
INTERNAL REVENUE CODE SECTION 457 REGULATIONS  
(INCLUDING CERTAIN PROPOSED REVISIONS)  
INTERNAL REVENUE SERVICE REVENUE PROCEDURE 2004-56 AND  
INTERNAL REVENUE SERVICE REVENUE PROCEDURE 2004-12**

**WHEREAS**, the Township of Kingwood (hereinafter referred to as the “Employer”) by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) effective May 20, 2002, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

**WHEREAS**, the Employer by resolution retained [The Variable Annuity Life Insurance Company (“VALIC”)] as the contractor under the Deferred Compensation Plan and executed a Service Agreement with said contractor; and

**WHEREAS**, the Job Creation and Worker Assistance Act of 2002 amended Section 457 of the Internal Revenue Code (the “Code”); and

**WHEREAS**, the Internal Revenue Service (“IRS”) issued final Code Section 457 regulations on July 11, 2003 and proposed Code Section 415 regulations issued May 31, 2005 that modified the Code Section 457 regulations; and

**WHEREAS**, the IRS has issued model amendments (Revenue Procedure 2004-56) and guidance regarding rollover contributions to eligible retirement plans (Revenue Procedure 2004-12) that apply to Section 457 Plans; and

**WHEREAS**, the IRS has set a deadline of December 31, 2005 for State and Local Governmental Section 457 (b) plan sponsors to adopt or amend their plans to conform with the Code, regulations and interpretative guidance; and

**WHEREAS**, the Employer desires its Plan to conform with the changes in the Code, regulations and interpretative guidance; and

**WHEREAS**, the Employer desires to adopt an amended and restated Plan that conforms with the changes in the Code, regulations and interpretative guidance; and

2005 -

**WHEREAS**, such amended and restated Plan shall supersede the previously adopted Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Employer does hereby adopt the amended and restated Plan prepared by VALIC and assigned Plan Document identifier 55-PD-VALIC-110305 by the Director of the Division of Local Governmental Services.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

It was moved by Mr. Burke to adopt the foregoing Resolution. Mayor Rawlyk stepped down from the chair, seconded and carried the motion.

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

**ELECTRIC-FIRE-PLUMBING INSPECTIONS**

Building Inspector Wayne Degan stated that he has a company called EIC to cover the inspections for 60 days. It was discussed whether it would benefit the Township to establish their own inspectors or put out for bid for another company. W. Degan stated he would rather have our own inspectors. Also stating we should try to hire our own electrical inspector and plumbing inspector if possible.

It was moved by Mr. Burke to hire EIC Inspection Agency for 60 days. Mayor Rawlyk stepped down from the chair, seconded and carried the motion.

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

It was moved by Mr. Burke to adjourn the meeting at 8:20 A.M. Mayor Rawlyk stepped down from the chair, seconded and carried the motion.

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

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