

June 2, 2010

**TOWNSHIP OF MILLSTONE**

**JUNE 2, 2010**

**AGENDA**

**Mayor Grbelja calls the meeting to order at 7:47P.M.**

**ROLL CALL:** Mayor Nancy Grbelja – present, Committeeman Dorfman –present, Committeeman Kinsey – absent, Committeeman Kuczinski – present, Committeeman Masci – present. Also in attendance – Attorney – Duane Davison, Administrator - James Pickering and Municipal Clerk – Maria Dellasala.

**STATEMENT OF NOTICE AS REQUIRED BY P.L. 1975, C231 IS READ.**  
**I HEREBY ANNOUNCE THAT PURSUANT TO THE OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN A FAX TO THE ASBURY PARK PRESS AND THE TRENTON TIMES, POSTED ON THE PUBLIC ANNOUNCEMENTS BULLETIN BOARD IN TOWN HALL AND FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON APRIL 30, 2010.**

**RESOLUTION 10-105 AUTHORIZING THE HOLDING OF AN EXECUTIVE SESSION AT, WHICH THE PUBLIC SHALL BE EXCLUDED.**

C/Masci offered the following resolution and moved its adoption, which was second by C/Dorfman.

WHEREAS, N.J.S.A. 10:4-13 of the Open Public Meetings Act permits the exclusion of the public from meetings of public bodies in certain circumstances which are set forth in N.J.S.A. 10:4-12 (b); and

WHEREAS, the Township Committee of the Township of Millstone is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone as follows:

The public shall be excluded for the discussion of any action upon the here in after specified matter.

The general nature of the subject matter to be discussed is as follows:

- Personnel
- Items falling under Attorney/Client Privilege

It is anticipated at this time that the above stated subject matter will be made public in approximately six months or when any litigation discussed is resolved.

This resolution will take effect immediately.

**VOTE:**

AYES: C/Dorfman, C/Kuczinski, C/Masci, M/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: C/Kinsey

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Executive session began 7:49p.m

Motion to adjourn, Moved C/Kuczinski, Seconded C/Masci. ©

Time Out 8:05pm.

**MAYOR GRBELJA CALLS THE REGULAR MEETING TO ORDER AT 8:06 P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.**

**CORRESPONDENCE:**

1. Letter received from Monmouth County Planning Board Panhandle Region announcing Public Session #2 0 June 21, 2010 and Public Comments on Draft Plan accepted through July 2, 2010.
2. Letter received from United State Census Bureau, Freehold Office thanking Millstone Township for our cooperation and assistance in permitting the Census staff access to the Community Center.
3. Letter received from Stony Brook Millstone Watershed thanking Millstone Township including the Environmental Commission, the Department of Public and the residents for its hard work and consistent support of their Annual Stony Brook Millstone Stream Clean up. The Millstone Clean up was supported in part by the Clean Communities Program and 26 committed Millstone volunteers joined together to clean up 1,512 pounds of trash.

**ORDINANCE'S**

**ORDINANCE 10-17**

**FIRST READING** ORDINANCE AMENDING CHAPTER XIV, (BUILDING AND HOUSING), SECTION 14-7,(CONTINUED CERTIFICATE OF OCCUPANCY - COMMERCIAL BUILDINGS), S SUBSECTION 14-7.2 (DEFINITION) AND SUBSECTION 14-7.4 (COMPLIANCE WITH MILLSTONE PROPERTY MAINTENANCE CODE; FEES) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

**EXPLANATORY STATEMENT:** This Ordinance amends Section 14-7, Continued Certificate of Occupancy - Commercial Buildings, Subsections 14-7.2, Definitions, and 14-7.4, Compliance with Millstone Property Maintenance Code; Fees. to require a continued certificate of occupancy for all buildings located within the Township; however it shall not apply when there is only a change of occupancy of a Building when located on and used exclusively as an integral part of a commercial farm, including farm labor housing. However, this paragraph b. shall apply for such Building(s) on a commercial farm when there is a change of occupancy plus a change of ownership. It further provides for the definition of "Building".

Motion to adopt on first reading and authorize publication of same,  
Moved C/Kuczinski, Second C/Masci.

Committee Discussion: None

VOTE:

AYES: C/Dorfman, C/Kuczinski, C/Masci, M/Grbelja

NAYS: None

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ABSTAIN: None  
ABSENT: C/Kinsey

Second reading and Public Hearing to be held on July 7, 2010 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

**ORDINANCE 10-18**

**FIRST READING** ORDINANCE AMENDING CHAPTER XXXV (LAND USE), ARTICLE IV (REGULATIONS APPLICABLE TO ALL ZONING DISTRICTS), SECTION 4-1 (GENERAL REGULATIONS) AND CREATING ARTICLE 17 (RIPARIAN ZONE ORDINANCE) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

**EXPLANATORY STATEMENT:** This Ordinance creates a Riparian Zone Ordinance within the Township of Millstone.

Motion to adopt/table on first reading and authorize publication of same,  
Moved C/\_\_\_\_\_, Second C/\_\_\_\_\_, (Committee Discussion) VOTE: C/Dorfman\_\_\_\_\_,  
C/Kinsey\_\_\_\_\_, C/Kuczinski\_\_\_\_\_, C/Masci\_\_\_\_\_, M/Grbelja\_\_\_\_\_.

AYES: C/Dorfman, C/Kuczinski, C/Masci, M/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: C/Kinsey

Second reading and Public Hearing to be held on July 7, 2010 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

**RESOLUTIONS: CONSENT RESOLUTION POSTED ON BULLETIN BOARD.**  
**ALL MATTERS LISTED UNDER ITEM “CONSENT AGENDA” ARE CONSIDERED ROUTINE BY THE TOWNSHIP COMMITTEE AND WILL BE ENACTED BY ONE (1) MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS, IF DISCUSSION IS DESIRED OF ANY ITEM, THAT ITEM WILL BE CONSIDERED SEPARATELY.**

10-106 Payment of vouchers.

10-107 Resolution authorizing a change in the average number of hours of employment per week required for “Full Time” status for status for participation in the State Health Benefits Program in accordance with N.J.S.A. 52:14-17.26 and N.J.S.A. 52:14-17.46.2.

10-108 Resolution authorizing release of Performance Guarantees for Pleasantvale Estates (Albert Pecker), PMSF 99-43 (Block 27, Lot 7).

10-109 Resolution to adopt temporary emergency appropriations #7.

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Motion to adopt, Moved C/Masci, Second C/Kuczinski.

Committee Discussion: None

VOTE:

AYES: C/Dorfman, C/Kuczinski, C/Masci, M/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: C/Kinsey

**PRIVILEGE OF THE FLOOR:**

Mayor Grbelja opens the meeting to the public at 8:13 p.m.

1. Shirley Pinhas – 11 Merkin Drive – Reads the following letter - To whom it may concern:

My name is Jon Pinhas. I am a township resident, as well as farmer. I am writing to you today because of an ongoing problem that the township has thus far ignored. There is an ordinance in this town that home owners have to trim any tree limbs that hang into the road. I have hit branches with my hay equipment causing costly damage.

I have spoken to the Agricultural Board, the mayor, the township lawyer and secretary with no results. I have also talked to a municipal worker about the problem, whom no longer works for the township. My question is, what is the point of having laws if the township committee does not intend on seeing that they are followed?

What is it going to take for the matter to be resolved? When I am driving down the road, hit a branch and as a result it breaks off and hits a car following me causing the driver to swerve, hitting another tree or telephone pole killing the driver along with his or her kids in the backseat? Will you enforce the law then? I am not willing to wait that long.

This is a safety issue and I want to know what it is going to *take* to get this issue resolved. It has been a year since I first brought the problem up to the town. With this being hay season again I want the problem fixed. I do not want to danger my or any other person's life because of your negligence. Sincerely, Jon Pinhas

Mayor Grbelja closes the meeting to the public at 8:30 p.m.

Motion to adjourn, Moved C/Kuczinski, Second C/Masci. © Time Out 8:06 p.m.

Tapes of the meeting are available in the Municipal Clerk's Office.

June 2, 2010 minutes approved at a Township Committee meeting held on June 16, 2010.

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Maria Dellasala, RMC  
Township of Millstone