

July 7, 2010

TOWNSHIP OF MILLSTONE

JULY 7, 2010

AGENDA

Mayor Grbelja calls the meeting to order at 7:07P.M.

ROLL CALL: Mayor Nancy Grbelja – present, Committeeman Dorfman –present, Committeeman Kinsey – present, Committeeman Kuczinski – present, Committeeman Masci – absent. 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 THE ANNUAL NOTICE OF MEETINGS WHICH WAS MAILED TO THE ASBURY PARK PRESS AND THE MESSENGER PRESS, POSTED ON THE PUBLIC ANNOUNCEMENTS BULLETIN BOARD IN TOWN HALL AND FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON DECEMBER 16, 2009.

RESOLUTION 10-120 AUTHORIZING THE HOLDING OF AN EXECUTIVE SESSION AT, WHICH THE PUBLIC SHALL BE EXCLUDED.

C/Kinsey 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:

- Items falling under the Attorney/Client Privilege
- Personnel
- Land Acquisition

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/Kinsey, C/Kuczinski, M/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: C/Masci

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Executive session began 7:09p.m

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

Time Out 8:07pm.

MAYOR GRBELJA CALLS THE REGULAR MEETING TO ORDER AT 8:11 P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.

CORRESPONDENCE:

1. Letter received from Monmouth County Department of Human Services, Division of Mental Health and Addiction Services thanking Millstone for its continuing sponsorship of the Millstone Municipal Alliance to prevent Alcoholism and Drug Abuse.
2. Letter received from Western Monmouth Habitat for Humanity thanking Millstone Township for all its support given with the building of a home at 308 Monmouth Road, Millstone Township for the family of a disabled veteran.
3. Letter received from Stony Brook Millstone watershed Association thanking the Millstone Township Department of Public Works for their hard work and consistent support of the Annual Stony Brook-Millstone Stream Cleanup.

ORDINANCE 10-17

SECOND 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".

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:14 p.m.

No Public Comment

Mayor Grbelja closes the public hearing at 8:14 p.m.

Motion to adopt on second reading, Moved C/Kuczinski, Second C/Dorfman.

Committee Discussion: None

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VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Masci

ORDINANCE 10-18

SECOND 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.

Affidavit of publication presented.

Attorney Duane Davison explains that the model ordinance came from the DEP, which we needed to adopt in order to comply with Stormwater Management Regulations. The ordinance was reviewed by our Agricultural Board and Open Space & Farmland Preservation Council as well as NJ Farm Bureau and Monmouth County Agricultural Board who all wanted additional clarification on exemptions, these exceptions already exist within the ordinance. These are not substantial changes.

Mayor Grbelja opens the public hearing at 8:20 p.m.

No Public Comment.

Mayor Grbelja closes the public hearing at 8:20 p.m.

Motion to adopt with amendments on second reading, Moved C/Kuczinski, Second C/Dorfman.

Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Masci

ORDINANCE 10-19

SECOND READING AN ORDINANCE AMENDING CHAPTER V (FEES), SECTION 5-2 (FEES FOR CHAPTER II: ADMINISTRATION), PARAGRAPH C (RECREATION REGISTRATION) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.

EXPLANATORY STATEMENT: This Ordinance adds fees for Tiny Tots Tennis and Board of Education Facility Use Fee Surcharge.

Affidavit of publication presented.

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Mayor Grbelja opens the public hearing at 8:21 p.m.
No Public Comment.
Mayor Grbelja closes the public hearing at 8:21 p.m.

Motion to adopt on second reading, Moved C/Kinsey, Second C/Dorfman.
Committee Discussion: None

VOTE:

AYES: C/Kuczinski, C/Dorfman, C/Kinsey, M/Grbelja
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

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.

10-121 Payment of vouchers.

10-122 Resolution authorizing reduction of Performance Guarantees for JW Poole, Site Plan No. P06-09 (Block 16, Lot 9.08).

10-123 Resolution authorizing Interlocal Services Agreement with Millstone Township Board of Education for permission to use School Facilities at Millstone Township Middle School, Millstone Township Elementary School and Millstone Township Primary School.

10-124 Resolution appointing Department of public Works Operator 1.

10-125 Resolution requesting approval of items of revenue and appropriation NJS 40A:4-87.

10-126 Resolution denying request for release of Performance Guarantees for Dunkin Donuts, Zoning Board/Site Plan No. Z05-08 (Block 56, Lot 13.01).

10-127 Resolution in support of Legislative action on the Governor’s proposed 2.5% Constitutional Cap on property tax levies, with modifications and clarification, and after passage of the Governor’s “Toolkit” reforms and mandates relief.

10-128 Resolution authorizing Planning Board to determine if property is in need of redevelopment.

Motion to adopt, Moved C/Kuczinski, Second C/Dorfman.
Committee Discussion: None

VOTE:

AYES: C/Dorfman, C/Kinsey, C/Kuczinski, M/Grbelja
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

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TOWNSHIP COMMITTEE MINUTES:

1. Board of Education School Budget Meeting May 10, 2010
2. Board of Education School Budget Meeting May 18, 2010
3. Regular Session and Executive Session June 16, 2010.

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

Committee Discussion: None

VOTE:

AYES: C/Dorfman, C/Kinsey, C/Kuczinski, M/Grbelja (June 16)

NAYS: None

ABSTAIN: M/Grbelja (May 10 & May 18)

ABSENT: C/Masci

PRIVILEGE OF THE FLOOR:

Mayor Grbelja opens the meeting to the public at 8:24 p.m.

No Public Comment.

Mayor Grbelja closes the meeting to the public at 8:24 p.m.

Motion to adjourn, Moved C/Kinsey, Second C/Dorfman. © Time Out 8:25 p.m.

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

July 7, 2010 minutes approved at a Township Committee meeting held on July 21, 2010.

Maria Dellasala, RMC
Township of Millstone