

May 5, 2010

**TOWNSHIP OF MILLSTONE**

**MAY 5, 2010**

**AGENDA**

**Deputy Mayor Kinsey calls the meeting to order at 6:45P.M.**

**ROLL CALL:** Mayor Nancy Grbelja – arrives at 8:15pm, Committeeman Dorfman –present, Committeeman Kinsey – present, Committeeman Kuczinski – present, Committeeman Masci – present. Also in attendance – Attorney – Duane Davison, Engineer – Matt Shafai, 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 10-93 AUTHORIZING THE HOLDING OF AN EXECUTIVE SESSION AT, WHICH THE PUBLIC SHALL BE EXCLUDED.**

C/Kuczinski 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:

- Contracts
- Land Acquisition
- 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, DM/Kinsey

**NAYS:** None

**ABSTAIN:** None

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ABSENT: M/Grbelja

Executive session began 6:45p.m

Motion to carry Executive Session to end of meeting, Moved C/Kuczinski, Seconded C/Masci. ©  
Time Out 8:05pm.

**MAYOR GRBELJA CALLS THE REGULAR MEETING TO ORDER AT 8:15 P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.**

**PROCLAMATION:                    *Municipal Clerks Week*  
*May 2 through May 8, 2010***

*WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and*

*WHEREAS, The Office of the Municipal Clerk is the oldest among public servants, and*

*WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and*

*WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.*

*WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community.*

*WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education program, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.*

*WHEREAS, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.*

*NOW, THEREFORE, I Nancy A. Grbelja, Mayor of the Township of Millstone, do recognize the week of May 2 through May 8, 2010, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Maria Dellasala and her Deputy Municipal Clerk, Nancy Warnick and to all Municipal Clerks and their Deputies for the vital services they perform and their exemplary dedication to the communities they represent.*

*PROCLAIMED this 5<sup>th</sup>. day of May 2010.*

**2010-2011    DEFEATED SCHOOL BUDGET:**

C/Masci states that we will not be passing a resolution tonight on the defeated 2010/2011 school budget we have not finalized our decision and we will be having a special meeting probably Monday night. We will know for sure at the end of the night. Committee asks Board of Education President Tom Foley if there is anything he would like to say. Mr. Foley believes that the Mayor has a conflict since she is a member of the NJEA, Attorney Duane Davision states there is no conflict, Mr. Foley states his Attorney disagrees. Mr. Foley states that we have a great administrative staff, great teaching staff and great challenges ahead of us with a lack of resources. The Board of Education had planned for a 15% cut and that is way they negotiated with the teachers on March 15, 2010 and settled on a zero increase this year, 6% increase next year and 4 ¼% in the third year. Then on March 17, 2010 everything changed, there was a 30% cut in State Aid,

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we are in discussion with the union about re-opening negotiations. Mr. Foley speaks about sacrifices on everybody's part, he speaks about trends over the past 10 years, he speaks about changing health care providers to help save additional funds, he speaks about the negotiation process and ends with the tax levy having to be set by May 19, 2010. M/Grbelja states there is misconception out there that if we had more houses then the taxes would be spread out that is totally incorrect. First of all our open space purchases are purchased with the dedicated dollars in our open space funds that has been voted on by the tax payers.

Mayor Grbelja opens to the public at 9:31 p.m. on the school budget only.

1. Neil Scholss – Robbins Road – states that back in March he predicted that the budget would fail however gives credit to the BOE on everything they are doing and states we have brilliant people in this town and we are smart enough to stay ahead of the curve. We spend the most in taxes and get the least back. We need to re-open negotiations with the teachers.
2. Maryann Donohue – Dawson Court – Superintendent of School – speaks about how if we were to pull out of Upper Freehold we would do harm to the school district and the State will not allow us to, once UFT is sending more students to their high school then it will be easier for us to pull out. We have the lowest cost per pupil. M/Grbelja states on behalf of the Township Committee thank you for all you have done and your leadership to the BOE, enjoy your retirement.
3. Gina Crane – Agress Road – speaks about class size, the bigger the class size the lower the scores, would like to see the BOE & Township Committee work together and reinstate the budget.
4. Dave Kurzman – Cheryl Lane – states that 10 years ago the population was less, the homes built in the last 10 years are over 4000 sq. feet and have added many students to our schools. Parents need to reinforce what is taught in our schools. Mr. Kurzman would like to see the union destroyed. He would like to see the kids educated, the kids are the ones losing in the long run, look to see if you can remove the union.
5. Katherine Heller – Scotto Farm Lane – states that school quality and home values go hand and hand. We in Millstone Township do not have a great school, the BOE has done a great job, teachers have done a great job with what they have. Online rankings we are not in the top 3%, 10% or even 25% we are in the middle third. When you consider we were not #2 and we can fall below it will affect our home values. We need to get creative. You do not have all the information please ask questions. Throwing money at a broken system doesn't work there are 631 school districts why do we need 631 curriculum coordinators there should only be one for the whole State.
6. Kristen Morris – 34 Prodelin Way – states Real Estate taxes keep going up and up people won't come. Governor Christie asked everyone to vote down budgets where teacher didn't take a pay freeze, a no vote is not a vote against education. We have great teachers, I work in the private sector and I have to pay for my health benefits. There's no reason to cut teachers the school board needs to go back and find other cuts.
7. Patrick Whalen – Timmons Hill Road – states that he always vote no when it came to the school budget but now understands how it works. We are shooting ourselves year after year. The township committee has a roll in this process, it's the law. A no vote can be a protest vote – we're getting killed in New Jersey, we need to send a message to Trenton and to the NJEA. Millstone has always been ahead of the curve, we've been successful; consider the lack of funding Millstone gets from the State. Our tax dollars are supporting other schools. Safety – bus drivers – major safety issue.
8. Ms. Cotler – Rue Court – states this is a good time to work together, to be a community

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on how we can save our town.

9. Bill McNeil – Olde Noah Hunt Road – Asks if he can ask a question, but has nothing to do with the school budget. C/Dorfman states let the gentleman speak now so he doesn't have to wait to the end of the meeting. Mr. McNeil states that today he has been in the township for 59 years, his family bought their farm on May 5, 1951. He is appealing to the township committee as a hardship exemption, his farm was zoned as 3 acre lot when he sub-divided, he has been active his whole life in the township. He has been a previous Mayor and helped fight against an airport and the incinerator. Mr. Mc Neil states that he had gone to see Pam D'Andrea, Planning Board Secretary and she said he needed to appeal to the Township Committee.

Mayor Grbelja closes the public hearing at 10:11 p.m.

### **ORDINANCE'S**

#### **ORDINANCE 10-10**

**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. It further provides for the definition of "Building".

Affidavit of publication presented.

M/Grbelja states that the Agricultural Board would like to see some changes in the wording of this ordinance regarding labor housing on farm. Pat Butch will call Duane and get him the changes.

Therefore the Ordinance has DIED.

#### **ORDINANCE 10-11**

**SECOND READING** ORDINANCE AUTHORIZING PURCHASE OF OPEN SPACE BLOCK 52, LOT 2 AND 2QFARM.

#### **EXPLANATORY STATEMENT:**

This Ordinance provides for the purchase by the Township of Millstone of property known as Block 52, Lot 2 and 2Q from The Estate of Mary K. Boris with the possible financial assistance of the State of New Jersey, Department of Environmental Protection, Green Acres Program and/or the County of Monmouth.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 10:39 p.m.

No Public Comment.

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Mayor Grbelja closes the public hearing at 10:39 p.m.

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

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: None

**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.**

10-94 Payment of vouchers.

10-95 Resolution to adopt Temporary Emergency Appropriations #6.

10-96 Resolution authorizing defense of litigation (Veterinary Surgical and Diagnostic Specialist, L.L.C. N/K/A Northstar Vets, L.L.C. vs. Township of Millstone, et al.).

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

Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: M/Grbelja

**TOWNSHIP COMMITTEE MINUTES:**

1. April 7, 2010 Regular Session and Executive Session
2. Executive Session January 20, 2010
3. Executive Session February 3, 2010
4. Executive Session February 17, 2010
5. Executive Session March 3, 2010
6. Executive Session March 17, 2010

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

Committee Discussion: None

VOTE:

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AYES: C/Dorfman, C/Kinsey, C/Kuczinski, C/Masci, M/Grbelja (April 7,  
January 20, February 3 & February 17)  
NAYS: None  
ABSTAIN: M/Grbelja (March 3 & March 17)  
ABSENT: M/Grbelja

**PRIVILEGE OF THE FLOOR:**

Mayor Grbelja opens the meeting to the public at 10:41 p.m.

1. Pat Butch – Prodelin Way – States that she attended the BOE meeting on Monday night and was upset with the comments made that if you voted No you have no rights – I don't agree, it was not a good feeling, we live together and we need to get along. The budget was denied because people don't want to spend additional dollars.

Mayor Grbelja closes the meeting to the public at 10:57 p.m.

Motion to go back into executive session, Moved C/Kinsey, Second C/Kuczinski ©

Motion to adjourn, Moved C/Kinsey, Second C/Kuczinski. © Time Out 11:03 p.m.

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

May 5, 2010 minutes approved at a Township Committee meeting held on May 19, 2010.

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Maria Dellasala, RMC  
Township of Millstone