

July 21, 2010

TOWNSHIP OF MILLSTONE

JULY 21, 2010

AGENDA

Mayor Grbelja calls the meeting to order at 6:05P.M.

ROLL CALL: Mayor Nancy Grbelja – present, Committeeman Dorfman –present, Committeeman Kinsey – present, Committeeman Kuczinski – present, Committeeman Masci – present. Also in attendance – Attorney – Duane Davison 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 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 JULY 15, 2010.

RESOLUTION 10-129 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/Kuczinski.

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, C/Masci, M/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: None

Executive session began 6:08p.m

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

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Time Out 8:10pm.

MAYOR GRBELJA CALLS THE REGULAR MEETING TO ORDER AT 8:16 P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.

Kevin McCovern introduces himself as the new President to the Millstone Township Board of Education. Mr. McGovern states he is looking forward to a working relationship with the Township Committee on the needs of the school and community, the exchange of ideas and not acquisitions, again we look forward to working together for the children and community.

CORRESPONDENCE:

1. Letter received from Major De Angelo, Commander Troop "C" NJSP thanking James Pickering for recognizing Troopers, Pangborn, Torres, Goleniecki, Castellano and Coleman for their professionalism with traffic control during the Millstone Twp., Memorial Day Parade.
2. Letter received from Monmouth County Park System congratulating Millstone on the successful completion of the Municipal Open Space Grant Program – Application #06-19 – Lee Farm.
3. Thank you letter received from Millstone Township Middle School Principal, Matthew Howell thanking the Mayor and Township Committee for your generous support of their education program.

ENGINEERS REPORT:

Matt Shafai states we are submitting a Grant Application with the New Jersey Department of Transportation for Improvements to Conover Road, Phase II, from David Court to New Jersey State Highway Route 33 – project should begin in summer of 2011. There is a small drainage problems – Rocky Brook Park, Hidden Pine Drive, Baird Road and Scotto Farm – these have been listed for FEMA reimbursement.

MINING PERMIT RENEWAL APPLICATIONS:

Mining application are done every other year and currently expired on 6/30/10.

1. Stavola Realty Company – They have not done anything in the last 2 years, Engineer recommends approving application.
2. Preston Properties – We have received full application, the plans are fine – Engineer recommends approving with conditions.
3. Campo – Application has been submitted asking for a 60 day extension till the end of August. They have been working with the DEP, Freehold Soil Conservation and with the Engineers Office – we have no problem with a 60 day extension.
4. Pine Hill Materials – Permit expired on 6/30/10, we have not received new application, they have received 2 or 3 summons, we did receive a letter requesting a 60 day extension, the application was received today by the Municipal Clerk.

Mayor Grbelja opens to the public at 8:29 p.m.

1. Rogan O'Donnell – 318 Sweetmans Lane – Submits to the Township Committee pictures, a survey of his property and a letter he received from the previous property

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owner of his property which came from Sahara Sand, Inc. The letter states, Sahara Sand, Inc. had been trying to contact the owner concerning access to Sahara Sand, Inc. property and that for many years Sahara Sand has traversed Bl. 27 Lot 16.03. Sahara Sand is in the process of selling their property and is trying to resolve an issue with the title insurance company by formalizing the existing access to the site in the form of a legal document.

2. Frank Kark – 316 Sweetmans Lane – Also has problems with the trucks entering and exiting the mine and has had to put in 5 new filters for his swimming pool over the past 7 years. The amount of dust that is on his property from these trucks is out of control. The noise that these trucks make is also out of control.
3. Paul Ekdahl – Sweetmans Lane - Also has a problem with the trucks on Sweetmans Lane, his wife was almost hit by one of the trucks on Sweetmans Lane.

Mayor Grbelja closes to the public at 8:55 p.m.

M/Grbelja states she was hoping that this would be able to be worked out between the neighbors.

5. Stavola – Inactive – have not done any mining in 6 years, nothing has come up.

Duane Davison states we should get some clarification from both attorneys.

M/Grbelja again states it would be great not to have legal actions, hopefully the neighbors can resolve maybe even some type of mediation. We have to credit Campo mine when drivers were not using correct route they had conversation with the drivers. I've witnessed drivers leaving Buck Mine turning right instead of left, everyone needs to follow rules and regulations.

1. William Stone – Married to Buck - States they try to get drivers to follow the correct route, we've given them maps before they leave the pit, we've called the State Police on the drivers. C/Kinsey asks why they can't place a flagman. C/Dorfman states it's an ongoing safety issue, you as owner have to find a way to make sure rules are followed. M/Grbelja asks if they are prepared to hire a flagman. C/Masci asks if they have the ability not to use trucks that don't follow rules. Ms. Buck asks if there is a way of changing the route?

1. Motion to approve Stavola application, moved C/Kuczinski, second C/Dorfman, Roll Call C/Kinsey – yes, C/Kuczinski – yes, C/Masci – no, C/Dorfman – yes, M/Grbelja- yes.
2. Motion to get more information on access point and common solution and to carry Preston to the 8/18/10 meeting, moved C/Kuczinski, second C/Kinsey, Roll Call C/Kuczinski – yes, C/Masci – yes, C/Dorfman – yes, C/Kinsey – yes, M/Grbelja- yes.
3. Motion to grant 60 day extension to Campo Mine, moved C/Kuczinski, second M/Grbelja, Roll Call C/Masci – no, C/Dorfman – yes, C/Kinsey – yes, C/Kuczinski – yes, M/Grbelja – yes.
4. Motion to grant 60 day extension as long as they get a flagman to Pine Hill Materials, moved C/Kuczinski, second C/Masci, Roll Call C/Dorfman – yes, C/Kinsey – yes, C/Kuczinski – yes, C/Masci – yes, M/Grbelja – yes, flagman by Friday – Monday at the latest.

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MAYOR'S APPOINTMENT: HISTORIC PRESERVATION COMMISSION:

Mayor Grbelja appoints the following persons to serve as members on the Millstone Township Historic Preservation Commission.

BE IT RESOLVED by the Mayor of the Township of Millstone that Robert e. Garvey III is hereby appointed as regular member of the Millstone Township Historic Preservation Commission to fulfill the unexpired term of Elaine Seldler term ending December 31, 2010.

BE IT FURTHER RESOLVED that a copy of this appointment is forwarded to the Millstone Township Historic Preservation Commission and to the appointees.

I HEREBY CERTIFY the foregoing to be a true copy of the appointment made by the Mayor of the Township of Millstone at its meeting of July 21, 2010.

ORDINANCES

ORDINANCE 10-20

FIRST READING ORDINANCE AMENDING CHAPTER XXXV (LAND USE), ARTICLE VI (CONDITIONAL USES), SECTION 6-3 (WIRELESS COMMUNICATION FACILITIES), SUBSECTION 6-3.7 (REQUIREMENTS FOR FIRST PRIORITY LOCATIONS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

EXPLANATORY STATEMENT: This Ordinance amendment provides that the approval of an application by Millstone Township for the first priority location of a Wireless Communication Antenna within the Township shall expire twenty-four (24) months after the date the plans are signed by the Township Engineer. It further provides for a twelve (12) month extension upon written request, along with a fee of \$300.00, and approval by the Township Engineer and the Township Land Use Planner.

Motion to adopt on first reading and authorize publication of same,

Moved C/Kinsey, Second C/Masci. Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: None

Second reading and Public Hearing to be held on August 18, 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

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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.

10-130 Payment of vouchers.

10-131 Resolution calling on the State Legislature and the Governor to enact property tax reform with passage of the “Municipal Toolkit” and other mandate relief.

10-132 Resolution denying request for release of performance guarantees for forty Fourteen, LLC, Phase II, Site Plan PSPP 02-19 (Block 16, Lot 10.08).

10-133 Resolution authorizing entry into an Interlocal Services Agreement with the County of Monmouth for Emergency Telecommunications Services (Enhanced 9-1-1 Service) for the calendar years 2009 through 2014.

10-134 Resolution approval to submit a Grant Application and execute a Grant Agreement with the New Jersey Department of Transportation for “Improvements to Conover Road, Phase II from David Court to New Jersey State Highway Route No. 33”.

10-135 Resolution of Personnel Action

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

Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: None

REPORTS FROM VARIOUS DEPARTMENTS FOR JUNE 2010:

Tax Collector	\$ 428,293.42
Clerks report	\$ 9,805.00
Dog License	\$ 1,240.00
Recreation	\$ 29,542.09
Building Department	\$ 32,301.00
COAH	\$ 8,976.00
Municipal Court	\$ 37,620.00
2010 Interest Revenue	
Code Enforcement/Zoning	

Motion to file, Moved C/Kuczinski, Second C/Masci. ©

TOWNSHIP COMMITTEE MINUTES:

1. Regular Session and Executive Session July 7, 2010.

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

Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAIN: C/Masci

ABSENT: None

PRIVILEGE OF THE FLOOR:

Mayor Grbelja opens the meeting to the public at 9:32 p.m.

1. John Arnheiter – 289 Woodville Road – Asks if the handicap parking in the lot outside can be increased.

Mayor Grbelja closes the meeting to the public at 9:33 p.m.

C/Kinsey states that the Township Committee took action on a personnel matter tonight, the Township Administrator will no longer be employed here, we will find a suitable replacement. The township will be moving in a new direction with new leadership.

M/Grbelja states we have some growing pains and we want to give the residents the best service we will do what's best for all residents of the township. C/Masci also states we will serve the residents with the best employees possible. Anyone who would like can send in their resume.

M/Grbelja speaks about the Governor's Advisory Report on the gambling, sport and entertainment report, she is extremely upset by the report, Millstone Township and Monmouth County and surrounding area is supported by Standard Breed Community. The Harness Racing industry turned their backs on the Standard Breed Community. They need to start charging Atlantic City 55% tax, there are 11 casinos with 400 employees and in Las Vegas there are over 380 gaming rooms with 80 employees – something needs to change.

Motion to adjourn, Moved C/Kinsey, Second C/Masci. © Time Out 9:43 p.m.

Tapes of the meeting are available in the Municipal Clerks Office.

July 21, 2010 minutes approved at a Township Committee meeting held on September 15, 2010.

Maria Dellasala, RMC
Township of Millstone