

December 15, 2010

TOWNSHIP OF MILLSTONE

DECEMBER 15, 2010

Mayor Grbelja calls the meeting to order at 7:072.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, Engineer – Matt Shafai, Administrator – Phil Del Turco 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 10-214 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:

- Personnel
- Items falling under the Attorney/Client Privilege
- Contracts
- 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 7:05p.m

Motion to carry executive session to end of meeting, Moved C/Dorfman, Second C/Kuczinski ©

Motion back into executive Session, (8:42pm) Moved C/Kuczinski, Second C/Kinsey.

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VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

Time Out 10:26pm.

MAYOR GRBELJA CALLS THE REGULAR MEETING TO ORDER AT 8:00 P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.

ORDINANCES

ORDINANCE 10-31

SECOND READING

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXXV "LAND USE AND DEVELOPMENT REGULATIONS" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE COUNTY OF MONMOUTH, STATE OF NEW JERSEY BY ADDING NEW SUBSECTION 16-7, "PRIVATE STORM DRAIN INLET RETROFITTING" AND 16-8 "REFUSE CONTAINERS/DUMPSTERS"

EXPLANATORY STATEMENT: This Ordinance sets forth prohibited actions relating to stormwater management. Specifically, the ordinance requires all outdoor dumpsters and other refuse containers to be covered, prohibits the spilling and discharge of liquids, semi-liquids or solids from the containers and requires retrofitting of existing private storm drain inlets to prevent the discharge of solids and floatables to the Municipal Separate Storm Sewer System.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:04 p.m.

No Public Comment

Mayor Grbelja closes the public hearing at 8:04 p.m.

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

Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: None

ORDINANCE 10-32

SECOND READING

AN ORDINANCE AMENDING CHAPTER VII (TRAFFIC), SECTION 7-13 (PENALTY) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

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EXPLANATORY STATEMENT: This Ordinance amendment increases the penalty to be imposed for violation of Township's Traffic Ordinances.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:05 p.m.

No Public Comment

Mayor Grbelja closes the public hearing at 8:05 p.m.

Motion to adopt on second reading, Moved C/Masci, Second C/Kinsey.

Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: None

ORDINANCE 10-33

SECOND READING BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$435,000 FOR ACQUISITION OF REAL PROPERTY IN AND BY THE TOWNSHIP OF MILLSTONE, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$413,250 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

EXPLANATORY STATEMENT: This Bond Ordinance provides for an appropriation of \$435,000 for acquisition of real property in and by the Township of Millstone, in the County of Monmouth, New Jersey and authorizing the issuance of \$413,250 Bonds or Notes of the Township for financing part of the appropriation, for the acquisition of real property located at Block 57.01, Lot 22.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:06 p.m.

No Public Comment

Mayor Grbelja closes the public hearing at 8:06 p.m.

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

Committee Discussion: M/Grbelja states this funding is for COAH. COAH may be phased out but affordable housing is still going to impact the State of New Jersey. C/Kinsey states this is part of our 3rd. round, we submitted our plan years ago before the current problems with affordable housing. Our original plan is the best path for Millstone Township. C/Masci states that residents have questioned why we are moving forward with our COAH obligation and he has responded that this is part of our original plan from 2007. Attorney Duane Davison states the idea of affordable housing was mandated by the NJ Constitution the Legislature came up with COAH, it is still a Constitutional mandate one way or another.

VOTE:

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

NAYS: None

ABSTAIN: None

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ABSENT: None

**ORDINANCE 10-34
SECOND READING** ORDINANCE AUTHORIZING PURCHASE OF
PROPERTY FOR OPEN SPACE AND FOR FARMLAND PRESERVATION
BLOCK 54, LOT 5.01.

EXPLANATORY STATEMENT: This Ordinance provides for the purchase by the Township of Millstone of the development rights of a portion of the property and fee simple of a portion of the property known as Block 54, Lot 5.01 from Perl Acres Realty Inc. with the possible financial assistance of the State of New Jersey, Department of Environmental Protection, Green Acres Program, the County of Monmouth, State Agriculture Development Committee, and/or Monmouth County Agriculture Development Board.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:12 p.m.

1. Joseph Irving – States he lives next door to the property and asks what will be done on the property, he is told passive recreation.
2. Pat Butch – Prodelin Way – States the 14 acres is part of the riparian buffer for Doctors Creek.

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

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

Committee Discussion: M/Grbelja states that there is a lot of miss-information out there.

Purchase of Open Space properties is buying development right's, this property was approved for 13 homes. We purchase the property with partners such as Green Acres and Monmouth County. So our obligation is only a small percentage of the purchase. C/Kinsey states we have a dedicated 6 cent open space tax that the residents voted on. M/Grbelja states now is the time to purchase when the market is low. C/Masci states we have an open door policy anytime any resident has a question we are happy to speak with them. M/Grbelja states it is important to contact us we know the answers, when groups are out there saying we are using money that should be going to the school what they don't realize is the residents voted on a dedicated tax for the purchase of open space.

VOTE:

AYES: C/Masci, C/Dorfman, C/Kinsey, C/Kuczinski, 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.**

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- 10-215** Payment of vouchers.
- 10-216** Resolution establishing lien against Block 12, Lot 27, 24 Van Hise Drive, Millstone Twp., NJ 08535.
- 10-217** Resolution establishing lien against Block 4, Lot 2.09, 53 Nurko Road Drive, Millstone Twp., NJ 08535.
- 10-218** Resolution establishing the 2011 annual schedule of meetings for the Millstone Township Committee.
- 10-219** Resolution to designate official newspapers which will receive public notices.
- 10-220** Resolution of the Township of Millstone, County of Monmouth, State of New Jersey to adjust the 2010 Tear Ending Current Fund Balance in accordance with Section 13, P.L. 1991, C63 (Amended 1994).
- 10-221** Resolution schedule of holidays for 2011.
- 10-222** Resolution list of holidays to be observed by the Mining Operators in Millstone Township for 2011.
- 10-223** Resolution authorizing release of performance guarantees for Kindercare (Millstone Center Associates), Site Plan No. P97-07, (Block 58, Lot 4.02).
- 10-224** Resolution directing Tax Collector to cancel Real Estate Taxes on Block 52, Lot 14.
- 10-225** Resolution authorizing reduction of performance guarantees for JW Poole, Site Plan No. P06-09 (Block 16, Lot 9.08).
- 10-226** Resolution authorizing reduction of performance guarantees for Svedova Properties, Site Plan No. P08-13 (Block 57, Lot 14.01).
- 10-227** Resolution to transfer funds on current year appropriations #3
- 10-228** Resolution to report additions and deletions to the Fixed Assets Report.
- 10-229** Resolution authorizing Township Administrator to execute agreement for Police Services with the New Jersey State Police.
- 10-230** Resolution extending contract for curbside pickup of recycle material for 2011.
- 10-231** Resolution awarding contract for the Salt Mixture and Special Rock Salt Mixture for 2011.
- 10-232** Resolution awarding of a contract for Insurance Coverage.
- 10-233** Resolution awarding a contract for the 2010 Drainage Improvement Program.
- 10-234** Resolution authorizing cancellation of balances previously appropriated from prior year Capital Bond Ordinances.
- 10-235** Resolution calling on the State Legislature and the Governor to exempt the reserve for uncollected taxes from the 2% Cap.

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

Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: None

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Award of Custodian Bank

REPORTS FROM VARIOUS DEPARTMENTS FOR NOVEMBER 2010:

Tax Collector	\$5,879,955.64
Clerks report	\$ 454.55
Dog License	\$ 25.00
Recreation	\$ 8,700.00
Building Department	\$ 21,807.00
COAH	\$ 4,530.00
Municipal Court	\$ 21,195.00
2010 Interest Revenue	
Code Enforcement/Zoning (October & November 2010)	

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

TOWNSHIP COMMITTEE MINUTES:

1. November 3, 2010 Regular Session
2. December 1, 2010 Regular Session

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

Committee Discussion: None

VOTE:

AYES: C/Kuczinski, C/Masci (11/3/10), C/Dorfman (11/3/10), C/Kinsey,
M/Grbelja

NAYS: None

ABSTAIN: C/Masci (12/1/10), C/Dorfman (12/1/10)

ABSENT: None

APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR:

St. Joseph Church of Perrineville – February 26, 2011, 6:00pm – 11:00pm – Food & Wine Tasting.

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

PRIVILEGE OF THE FLOOR:

Mayor Grbelja opens the meeting to the public at 8:28 p.m.

No Public Comment

Mayor Grbelja closes the meeting to the public at 8:28 p.m.

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

Time Out 10:27 p.m.

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

December 15 2010 minutes approved at a Township Committee meeting held on January 5, 2011.

Maria Dellasala, RMC
Township of Millstone