

January 19, 2011

TOWNSHIP OF MILLSTONE

JANUARY 19, 2011

AGENDA

Mayor Grbelja calls the meeting to order at 7:00P.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, Township 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 15, 2010.

RESOLUTION 11-49 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

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Executive session began 7:02p.m

Motion to adjourn Executive Session Moved C/Kinsey, Seconded C/Dorfman. ©

Time Out 8:03pm.

MAYOR GRBELJA CALLS THE REGULAR MEETING TO ORDER AT 8:12 P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.

SENATOR BECK/FREEHOLDER BURRY/ASSEMBLYWOMAN CASAGRANDE:

Sen. Jennifer Beck, Assemblywoman Caroline Casagrande and Monmouth County Board of Chosen Freeholders Director Lillian Burry inform the residents and the Township Committee about report on new legislation affecting horse racing, a major industry in the municipality and surrounding areas.

Senator Beck referred to bills that passed in both the Senate and Assembly, such as S-829 and A-2926, which authorize exchange wagering on horse races in New Jersey and other states; S-1980 and A-1705, which revise off-track wagering provisions; and S-2394 and A-3531, which dedicate revenue to enhancing incentives for breeding and developing racehorses in the state.

Assemblywoman Casagrande said another bill that passed both houses, S-11 and A-3581, would establish an Atlantic City Tourism District and provide \$30million to racetracks in the state over three years. The Atlantic City casino industry would provide the subsidy to the tracks. Gov. Chris Christie may not sign the subsidy bill.

Assemblywoman Casagrande also spoke about the decreasing number of racing days in New Jersey. She said that the Meadowlands in East Rutherford scheduled 75 racing days in 2011 and Freehold Raceway scheduled 75 harness racing days. The Meadowlands had 138 racing days and Freehold Raceway had 163 racing days in 2010. She also noted that Monmouth Park in Oceanport has not yet set a number of days for its thoroughbred meet.

M/Grbelja, who owns and races standardbred harness horses, said the livelihoods of at least 70 families in the township depend on harness racing, and later added that other families in the township depend on the thoroughbred industry. She referred to the reduced racing day schedules as a death sentence, and said that as mayor she represents hundreds of people who will be put out of work. M/Grbelja said the reduced number of racing days would not provide enough for New Jersey horse breeders and owners to pay for their horses. She said the state has not made those who race or breed horses in New Jersey a priority by allowing horses born and raised in other states to compete at its racetracks. Surrounding states do not allow horses from other states to compete at their tracks.

M/Grbelja said she can't race in Delaware, Pennsylvania or New York, New Jersey allows all states to race.

Freeholder Burry said Christie has ignored the \$4 billion equine industry, which employs 13,000 people. If Christie does not support the \$30 million subsidy bill, open space and

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farmland preservation may be affected.

Maggi Romano, who works in the racing industry, asked Senator Beck what she would do in the event Christie vetoed the subsidy bill. Senator Beck said she would vote to override the veto, as it is an issue with which she respectfully disagrees with Chris Christie.

Freeholder Burry took issue with Christie not appointing people from the equine industry to the Hanson Commission, which was charged with coming up with solutions to the state's various gaming issues. Led by real estate developer Jon Hanson, the commission issued a report last year recommending closure of the Meadowlands.

The Meadowlands Racetrack may not close as a result of bipartisan legislation approved on Jan. 20 that would allow the New Jersey Sports and Exposition Authority to jointly operate the Meadowlands with a private lessee. Bill A-3710 would allow races at the Meadowlands to continue while the state transfers the track to a private operator. The state has been operating the Meadowlands at a large deficit, and has agreed to allow Jeff Gural, a New York racetrack owner-operator and real estate developer, to take over the racetrack. The bill allows for joint operation of the track for one year, or until the new owner is approved and licensed to operate the track.

Dr. Scott Palmer, owner of the New Jersey Equine Clinic in Millstone, said the state should allow slot machines at racetracks like surrounding states do. Senator Beck said that Democratic Senate President Steven Sweeney would not allow any bills relating to slots at racetracks to be posted.

Dr. Palmer said I don't get how Steve Sweeney can influence or block a cooperative, strategic effort throughout the entire state, I find it frustrating.

Dr. Palmer said his property has been deed-restricted for farmland preservation. When he purchased the land he thought that the state would work with him, but now believes in the possibility of the state pulling the horse industry out from under him and others who preserved their property for equine-related uses.

ENGINEER'S REPORT:

1. 2010 Drainage Improvement Program

- a. This project includes drainage improvements which will alleviate flooding on Hidden Pines Drive and Baird Road (East of Scotto Farm Lane).
- b. A contract in the amount of \$51,404 was awarded to GSP Construction, Inc. of Parlin, NJ on December 15, 2010.
- c. Contracts are signed and work will be completed in the Spring of 2011.

2. Conover Road

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- a. The first phase of this project (Baird Road to David Court) received a \$140,000 grant from NJDOT which should be spent this year or we may lose this grant.
 - b. We applied for a grant to NJDOT for the second phase of this project (David Court to Route 33) in July of 2010. The NJDOT has not announced the results of last year's application.
 - c. If and when we receive the Phase 2 grant we will combine both phases for one project for this summer.
3. The following roadways are recommended for improvements as soon as funding becomes available.
- a. **Priority One – Battleground Road** \$160,000
Work includes drainage, partially roadway reconstruction and resurfacing approximately 1,000 linear feet of the roadway and completion of roadway resurfacing adjacent to Rosemont Farm Subdivision.
 - b. **Priority Two – Disbrow Hill Road** (West of Battleground) \$130,000
Work includes milling, base repairs & resurfacing of roadway (1/2 width)
 - c. **Priority Three - Disbrow Hill Road** (East of Battleground) \$60,000
Work includes milling, base repairs & resurfacing of roadway (1/2 width)
 - d. **Priority Four – Stillhouse Road** \$160,000
The section between Back Bone Hill Road and Stage Coach Road has started to deteriorate causing severe potholes, eroded edges and alligator cracks.
 - e. **Priority Five – East & West Pine Branch & River Drives** \$150,000
We have received numerous calls from property owners on these roads. The roadway surface course was poorly constructed and has been deteriorating for the past few years.
 - f. **Priority Six – Bittner Road** \$100,000
4. **Perrine Circle/Disbrow Hill Road Detention Basin**
The Basin has been neglected for years and is no longer functioning properly. Water is stagnant, causing a mosquito breeding area. Rainwater has started to bypass the outlet control structure, causing erosion and possible collapse of the 36" RCP outfall.
The basin needs to be cleaned, dredged, regraded and seeded.

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5. Shield Road, Nurko Road & Willow Tree

The drainage pipes in these roads have numerous open joints which cause sinkholes on the lawn areas adjacent to the roadways.

A portion of Shield Road drainage was internally grouted on May 2010 at a cost of \$3,000±, which is now being monitored. If successful, we will continue same treatment for other reasons.

6. Scooter Corner Intersection (Stage Coach Road, Millstone Road, Paint Island Spring Road)

The Monmouth County Engineering Department is studying various options to improve this five-legged intersection. The options include four different signalization designs, stop signs with safe site distances and a roundabout.

7. Route 537 and Stage Coach Road Intersection

The Township has asked the County to study and improve this dangerous intersection. The County is conducting traffic counts before proposing and concept designs.

8. Millstone Park

The Township has been approved for \$200,000 toward construction of an indoor recreation building. The design of this building is in preliminary stages.

ORDINANCES

ORDINANCE #11-01

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 registration fee for Recreation Cheer Clinic.

Affidavit of publication presented.

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/Masci.

Committee Discussion:

VOTE:

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

NAYS: None

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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.

- 50 Payment of vouchers.
- 51 Resolution for transfer funds on appropriations reserves #2
- 52 Resolution for authorizing 2011 Animal Control Service Agreement
- 53 Resolution authorizing Shared Services Agreement for Vehicle Maintenance with Millstone Township BOE
- 54 Resolution authorizing Release of Site Restoration Letter of Credit for Burnt Tavern Road Holding CO., LLC (Shelly’s School for Dogs), Site Plan #Z09-01.
- 55 Resolution authorizing purchase of gasoline and diesel fuel from Monmouth County Cooperative Pricing System.

Motion to adopt, Moved C/Dorfman, Second C/Kuczinski.
Committee Discussion:

VOTE:

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

REPORTS FROM VARIOUS DEPARTMENTS FOR DECEMBER 2010:

Tax Collector	\$ 496,212.75
Clerks report	\$ 1,907.15
Dog License	\$ 44.00
Recreation	\$ 3,375.00
Building Department	\$ 28,201.00
COAH	\$ 17,836.00
Municipal Court	\$ 28,070.21
2010 Interest Revenue	\$ 29,932.25

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

PRIVILEGE OF THE FLOOR:

Mayor Grbelja opens the meeting to the public at 9:23 p.m.
No Public Comment.

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Mayor Grbelja closes the meeting to the public at 9:24 p.m.

Motion to adjourn, Moved C/Kuczinski, Second C/Kinsey. © Time Out 9:24 p.m

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

January 19, 2011 minutes approved at a Township Committee meeting held on March 2, 2011.

Maria Dellasala, RMC
Township of Millstone.