

July 18, 2012

TOWNSHIP OF MILLSTONE

JULY 18, 2012

Minutes

Mayor Grbelja calls the meeting to order a 7:00P.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, Engineer – Matt Shafai, Township Administrator – Thomas E. Antus 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 21, 2011.

RESOLUTION 12-115 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
- 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, M/Grbelja

NAYS: None

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ABSTAIN: None
ABSENT: C/Masci

Executive session began 7:02pm
Motion to adjourn Executive Session Moved C/Dorfman, Seconded C/Kuczinski. ©
Time Out 8:09pm.

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

CERTIFICATE OF APPRECIATION:

M/Grbelja introduces the Girl Scout Cadet Troops and the project.

Clean Communities Project Painting and Planting at the Community Center

In order to Beautify the front of The Community Center, The Girl Scout Cadette Troop 1765 (12-14 grades 7 to 9) and Girl Scout Ambassador Troop 646 (High School grades 11-12th) Combined their efforts:

- They dug up and removed the old shrubbery and amended the soil
- They painted the existing unpainted wooden flower bed border
- They Planted shrubbery and flowers
- They took on the task of cleaning and painting the front block retaining wall.

All in time for the Memorial Day Parade to honor our veterans and men and women presently protecting our Great country.

Their Leader, Joanne Travers, approached the Township offering that the young women (our future leaders) to take on a project to help their community. They worked with Maria Dellasala through a clean communities grant. The DPW assisted as well.

The Leaders and the Scouts take pride in their community

The Girl Scout Cadette Troop 1765

Gabrielle Alves
Erin Magee
Ashley Masci
Meredith McAfee
Mehgan McQuade
Helen Misiewicz
Jennifer Travers

Girl Scout Ambassador Troop 646

Isabella Cerri
Olivia Pozza
Lacey Magee
Caroline Tkachuk
Anna Travers
Jessica Troy

MINING PERMIT RENEWAL APPLICATIONS:

Mining Permit Renewal Application Preston Pit II

Block 27, Lots 16.02, 16.04-16.07

File: MS 12-10

At your request, we have reviewed the Mining Permit Renewal Application for the

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above referenced mining site and report as follows:

1. Documents Submitted

- a. "Mining Plan" Preston Pit II, Lots 16.02, 16.04, 16.05, 16.06 & 16.07, Block 27, consisting of five (5) sheets prepared by Michael B. Intile, P.E., from Crest Engineering Associates, Inc., dated March 23, 2010, with latest revision date of March 15, 2012.
- b. Statement of Environmental Impact and Assessment for Raymond Preston, Inc., prepared by Crest Engineering Associates, Inc., dated April 28, 2004, last revised March 15, 2012.

2. Project Location & Description

- a. The subject property is known as Lot 16.02, 16.04-16.07, Block 27, consisting of approximately 32 acres. The site is located along the northern side of Sweetman's Lane, approximately 2,800 feet east of Millstone Road and accessed via an existing easement through Lots 16.03, 17 and 18.01.
- b. The property is located in the RU-P (Rural Preservation Zone District).
- c. The total volume of reported is 1.1 million cy. For the last mining period (2010-2012), 16,243 cy of mined material was removed. Therefore, the mining material quantity remaining to be removed is 638,012 cy.
- d. Haul Route: the trucks leaving the mining site are required to turn left onto Sweetman's Lane (County Highway 524) and travel east to County Route 527. The trucks are required to use the same route when they are coming to the mine.

3. Conditions of Approvals

- a. All mining operations shall be pursuant to Ordinance Section 22-7.
- b. Performance guarantees in the amount of \$128,509 (per previous applications) is required. A letter of credit in the amount of \$68,509 and a bond in the amount of \$60,000 has been submitted. The Township Attorney's review and approval of these documents is required.
- c. The Key Map and 200' radius homeowners' list should be updated.
- d. The Applicant shall provide a copy of the NJPDES R13

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Mining and
Quarrying Activity Stormwater General Permit once
obtained.

- e. The plan should be revised to indicate the correct amount of mining material remaining to be removed (638,012 cy.).
- f. Revise plans to show current conditions. Plans still show the cell tower that was removed.
- g. Applicant should provide an updated drainage report.

Motion to approve Mining Permit Renewal Application Preston Pit II
Moved C/Kuczinski, Seconded C/Kinsey.

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Masci

**Mining Permit Renewal Application Stavola Realty
Block 39.01, Lots 21.04, 21.05 & 21.06
File No. MS 12-17**

At your request, we have reviewed the Mining Permit Renewal Application for the above referenced mine site. The Stavola Realty mining site contains 21.88 acres and has access from Back Bone Hill Road, east of Millstone Road. The site has not been mined since 2002, however, the site has been maintained regularly by the mine operator.

After reviewing the subject application, we offer the following comments for the Committee's consideration:

1. Mining Application

a. The Applicant received a two-year mining permit which expires on June 30, 2012. They have submitted an application for a two-year renewal of the mining peimit.

b. The Applicant is requesting a mining permit for Block 39.01, Lots 21.04, 21.05 and 21.06. This application is for the removal of 272,868 cubic yards of material which represents the total material to be removed for the useful life of the mine.

2. Mining Plan

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a. The Mining Master Plan is entitled "Stavola Mining Permit Renewal Block 39.01, Lots 21.04, 21.05 & 21.06 Tax Map Sheet No. 15 Master and Detailed Mining Plan" prepared by Thomas P. Branch, P.E., P.P. dated June 12, 2008, with no revision for this permit application.

b. The Applicant is proposing to mine approximately 16.9 acres but in no instance will the area of disturbance exceed 15 acres. The project has been separated into two phases: Phase I consists of 4.62 acres within Lot 21.04; and Phase II consists of 12.30 acres within Lots 21.05 and 21.06. The bulk of Phase I was completed prior to the current mining permit period. An area along the southern boundary of Phase I still has material available for mining. According to the Mining Plan, the Applicant is proposing to create slopes of 4:1 (H:V) within both phases.

c. Vehicles coming to and leaving the mining site are required to use Back Bone Hill Road west to Schoolhouse Road and south to Stagecoach Road. Since no mining was conducted during the current permit period, the mine site has caused no deterioration of the road within the past two years. The applicant remains responsible for any deterioration of this hauling route that is attributable to truck traffic during the future permit period.

3. Miscellaneous

a. The Applicant has submitted an Environmental Impact Statement (EIS) as required within section 22-4.1m of the Mining and Quarrying Ordinance. The EIS has been prepared by Thomas P. Branch, P.E., P.P. of Stavola Realty Company with no date.

b. The Applicant has submitted a soil erosion and sediment control plan consisting of two (2) sheets, prepared by A. J. Garito, Jr., P.E. of Two River Engineering dated February 26, 2004, last revised February 5, 2008.

c. The mining application indicates that the property is located within the R-80 zone; however the property is located within the RU-P zone.

4. Conditions of Approval

a. Freehold Soil Conservation District Permit.

b. Township Attorney's review and approval of the \$135,000 Bond and \$33,080.00 Letter of Credit is required.

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Motion to approve Mining Permit Renewal Application Stavola Realty
Moved C/Dorfman, Seconded C/Kuczinski.

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Masci

Mining Permit Renewal Application
Campo Mine Pit
Block 28, Lots 13.02, 14.01, 14.02, 19, 20 & 21
File No. MS 12-11

At your request, we have reviewed the Mining Permit Renewal Application for the above referenced mining site and report as follows:

1. Documents Submitted

- a. "Master Mining Plan" Campo Mining Pit, Lots 13.02, 14.01, 14.02, 19, 20 & 21, Block 28, consisting of seven (7) sheets prepared by Lorali E. Totten, P.E., from Crest Engineering Associates, Inc., with various dates and latest revision dated May 18, 2012.
- b. Environmental Impact Statement for Maria Campo, prepared by Crest Engineering Associates, Inc., dated May 15, 1998, last revised May 18, 2012.

2. Project Location & Description

- a. The subject property is known as Lots 13.02, 14.01, 14.02, 19, 20 & 21, Block 28, consisting of approximately 81.55 acres. The site has frontage on both Baird Road, Pine Hill Road and is accessed from Baird Road in the northwestern portion of the site.
- b. The property is located within the RU-P (Rural Preservation Zone District).
- c. The site has been used for mining operations since the 1960's. During the 2010 to 2012 period, approximately 184,400 cubic yards of material were removed.

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- d. Per revised grading plans, the approximate amount of material remaining to be removed is approximately 353,715 cubic yards.
- e. Haul Routes: the trucks leaving the mining site are required to turn left onto Baird Road and travel west to Millstone Road. The route then continues south along Millstone Road to Sweetman's Lane. Trucks coming to this site are required to use the same route.

3. Conditions of Approvals

- a. All mining operations shall be pursuant to Ordinance Section 22-7.
- b. The Applicant shall de-silt and provide regular maintenance of the detention basin as per submitted documents.
- c. The Applicant has submitted proof of general liability insurance that became effective on November 11, 2011 and will expire on November 11, 2012. The applicant should provide a policy renewal to the Township prior to the expiration date.
- d. The Freehold Soil Conservation District Certification is valid and should be renewed as required.
- e. A performance guarantee, previously approved by the Township is still valid and being renewed when required.
- f. Compliance with Environmental Commission Report.
- g. A NJDES R13 Mining and Quarrying Activity General Permit renewal.
- h. The site contains new swales and stilling basin. Hydrologic and Hydraulic calculations should be revised for current conditions of the site.
- i. The NJDEP Wetlands Line Verification Renewal.
- j. The Applicant shall complete the Topsoil Stockpile Table in the Environmental Impact Statement and the Master Mining Plan.
- k. The Master Mining Plan cover sheet title should be corrected to "20122014".
 - 1. Sheet 4A of the Master Mining Plan should be revised to include a north arrow.

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Motion to approve Mining Permit Renewal Application Campo Mine Pit
Moved C/Kinsey, Seconded C/Kuczinski.

VOTE:

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

Buck Mine Removal Permit 2012 – 6 month extension

I am requesting an extension of time on the existing current permit for 6 months. We are currently on a submittal to the town in July and another submittal to Freehold Soil in December. I would like to request that these submittals be at the same time in December for a few reasons. In this time of recession / downturn in economy, work is extremely slow with very little customers and few funds to do something twice. The engineering costs can be significantly reduced. The flights for the topo and elevations can be done in the fall. The engineering plans designed / updated once to more accurately reflect what is actually there at the same time for both the township engineer and Freehold Soil and the DEP.

We are currently in the process of finalizing the retention basin as per the Freehold Soil Conservation and DEP Storm water Permit. We feel that in this very short period of time, the site will be going through a tremendous amount of change. As a result of this work, the plans would have to be changed again to reflect the final as built's once the basin is completed and site regraded in order for our submission to the Freehold Soil District which is due in December to reflect what will be currently there . We feel that in light of the poor economy and how scarce funds are, that it would be very prudent to delay the submission of new aerials and topography 6 months.

Our anticipated schedule for submittal of the plans are as follows working from the submittal coming forward in time:

1. Submittal to Freehold Soil and the Millstone Twp Engineer / Town Committee.
2. 1 month prior: Submit to DEP amended plans for review and approval.
3. 1 month prior: Engineering work to complete the plans for submission once our engineer has received information from Topo / Aerial Company.
4. 2- 3 weeks prior: Flight is scheduled, ground work is set and information is compiled to be given to engineer.
5. 2 - 3 weeks prior: Co-ordinate with the Campo's for the outlet structure to tie into Campo's pipe. Construct the outlet structure
6. 2 weeks prior: Regrade final basin and order the outlet structure.
7. 6 - 8 weeks prior: At present most of the top layer of clay has been removed. We are now able to market the sand products, and secure a few customers and jobs to remove the material located in the southwest part of the basin. Assess to the lower elevation is 100% complete. At present the basin

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contour or shape is about 50% complete. The north or back side facing Baird Road has been 100% contoured, the north/south line (Stillhouse Road) side has about 80% contoured.

As everyone is painfully aware this economy is quickly devastating many long time businesses. We at Buck Mining & Materials, Inc. are desperately trying to endure and survive. The lack of business coupled with the expense of building a basin has literally brought us to a hardship never before endured since we purchased the property in the 1960's.

We feel that this extension would give us the much need boost

Motion to approve Mining Permit 6 month extension for Buck Mine
Moved C/Kuczinski, Seconded C/Dorfman.

VOTE:

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

ORDINANCES

ORDINANCE 12-11

SECOND READING BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$700,000 FOR 2012 ROAD IMPROVEMENT PROGRAM IN AND BY THE TOWNSHIP OF MILLSTONE, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$356,250 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

EXPLANATORY STATEMENT: Bond Ordinance providing an appropriation of \$700,000 for 2012 Road Program and authorizing the issuance of \$356,250 bonds or notes; 2012 Road Program includes, but is not limited to, resurfacing improvements to Brookside Road, Schoolhouse Road and Disbrow Hill Road, utilizing two CY DOT Grants totaling \$325,000.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:34 p.m.
No Public Comment
Mayor Grbelja closes the public hearing at 8:34 p.m.

Motion to adopt on second reading, Moved C/Kinsey, Second C/Kuczinski. Committee Discussion: Engineer Matt Shafai states The Board of Education has asked us to wait till next summer for work on Schoolhouse Lane, Monmouth County has asked us to add the culver work, it's their bridge and they will pay for all the work, including soft costs.

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VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Masci

ORDINANCE 12-12

SECOND READING BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$100,000 FOR ACQUISITION OF PUBLIC WORKS VEHICLES AND EQUIPMENT IN AND BY THE TOWNSHIP OF MILLSTONE, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

EXPLANATORY STATEMENT: Bond Ordinance providing an appropriation of \$100,000 for acquisition of public works vehicles and equipment and authorizing the issuance of \$95,000 bonds or notes; acquisition includes, but is not limited to, the acquisition of a backhoe.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:38 p.m.

No Public Comment.

Mayor Grbelja closes the public hearing at 8:38 p.m.

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

Discussion: None

VOTE:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Masci

ORDINANCE 12-13

FIRST 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 amends the Business Registration fee for Millstone Day.

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

Moved C/Kinsey, Second C/Kuczinski. Committee Discussion: C/Kinsey states that the Recreation Commission has asked that the fee be reduced for For Profit Groups to help increase interest.

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

Second reading and Public Hearing to be held on August 1, 2012 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 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.

- 12-116 Payment of vouchers
- 12-117 Support of S-302 Sponsored by Senator Joe Pennacchio the “Transparency in Government Act” Which Would Codify and Expand on the State Public Finance Website
- 12-118 Resolution establishing lien against Block 55, Lot 4.10, 9 Ella Drive, Millstone Twp., NJ 08510
- 12-119 Resolution establishing lien against Block 31.02, Lot 12, 3 Lakeview Drive, Millstone Twp., NJ 08535
- 12-120 Resolution establishing lien against Block 36, Lot 5, 35 Clarksburg Road, Millstone Twp., NJ 08510
- 12-121 Resolution establishing lien against Block 50, Lot 5, 384 Clarksburg Road, Millstone Twp., NJ 08510
- 12-122 Resolution denying request for release of Performance Guarantees for Orleans Homebuilders, Inc., Subdivision No. P03-17-P (Block 25, Lots 1 and 2 and Block 26, Lot 3)

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

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

REPORTS FROM VARIOUS DEPARTMENTS FOR JUNE 2012:

Tax Collector	\$ 298,024.50
Municipal Clerk	\$ 10,162.95
Dog License	\$ 438.20
Recreation	\$ 32,349.00
Building Department	\$ 19,698.00
COAH	\$ 1,078.00

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Municipal Court
2012 Interest Revenue
Zoning/Code Enforcement

\$ 26,935.50

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

TOWNSHIP COMMITTEE MINUTES:

1. June 20, 2012 Regular & Executive Session

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

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

APPLICATION FOR CONSTRUCTION STORAGE TRAILER:

1. Showplace Farms, LLC – Manure Trailer – Application is pending DEP approval.

Motion to approve/table, Moved C/Kuczinski, Second M/Grbelja. ©

ADDITIONAL COMMENTS:

M/Grbelja states that she attended a Drug Alliance meeting and starting in 2014 there will be changes in which way funding is received from the State of New Jersey and Monmouth County. The Fishing Derby was a part of the Drug Alliance and they are hoping that the Recreation Commission can take it over. Additional discussion on various programs that can be instituted, we need to educate the residents.

Calls have been received thanking the township for the good job done on picking up the brush this spring, with the limited amount of DPW workers.

With this extreme heat if anybody needs a cooling place the Community Center will be opened and also make sure your pets have enough of water and should not be left outside for long periods of time.

There are many programs offered over the summer at the Monmouth County Library take advantages of the programs bring the kids.

PRIVILEGE OF THE FLOOR:

Mayor Grbelja opens the meeting to the public at 9:10 p.m.

No Public Comment.

Mayor Grbelja closes the meeting to the public at 9:10 p.m.

Motion to adjourn, Moved C/Dorfman, Second C/Kinsey. © Time Out 9:10 p.m.

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

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July 18, 2012 minutes approved at a Township Committee meeting held on August 1, 2012.

Maria Dellasala, RMC
Township of Millstone.