

RESOLUTION NO. 17-138

MEETING DATE: 08-02-17

**RESOLUTION 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 **M/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:

1. The public shall be excluded for the discussion of any action upon the here in after specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. 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 at such time as any litigation discussed is resolved.

3. This Resolution shall take effect immediately.

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on August 2, 2017.

Maria Dellasala, RMC
Municipal Clerk

**RESOLUTION NO. 17-139
MEETING DATE: 08-02-17**

**RESOLUTION AWARDING A CONTRACT FOR THE 2017 ROADWAY
IMPROVEMENT PROGRAM**

C/Grbelja offered the following Resolution and moved its adoption which was second by C/Dorfman .

WHEREAS, on Thursday, July 20, 2017 at 10:00 a.m. the Township Engineer accepted bids for the 2017 Roadway Improvement Program; and

WHEREAS, the following bids were received:

Meco, Inc.	\$511,565.00
Earle Asphalt	\$630,113.13
S. Brothers Construction	\$637,385.00; and

WHEREAS, the Township Engineer has recommended awarding the Contract to Meco, Inc. in the amount of \$511,565.00, subject to the availability of funds.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone hereby awards a Contract to Meco, Inc. for the 2017 Roadway Improvement Program in the total amount of \$511,565.00, subject to the availability of funds.

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to Meco, Inc. and to the unsuccessful bidders together with a return of their bid security.

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of August 2, 2017.

Maria Dellasala, RMC
Municipal Clerk

**RESOLUTION NO.17-140
MEETING DATE: 08-02-17**

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR
KHEDER & SONS, SUBDIVISION NO. P03-33F, BLOCK 55, LOTS 4.24 – 4.28
(FORMERLY LOT 4.02)**

C/Grbelja offered the following Resolution and moved its adoption which was second by **C/Dorfman**.

WHEREAS, in 2003 William D. McNeill received subdivision approval for Block 55, Lot 4.02 (now known as Lot Nos. 4.24-4.28 and referred to as “Subdivided Lots”); and

WHEREAS, William D. McNeill conveyed the undeveloped Subdivided Lots to Kheder & Sons, LLC; and

WHEREAS, Kheder & Sons, LLC posted with the Township of Millstone the following performance guarantees and inspection fees:

Performance Bond - Bond Safeguard Insurance Company, dated December 14, 2011 in the amount of \$172,896.66.

Cash Bond Deposit - \$19,210.74

Inspection Fees – the balance of the inspection fees shall be returned to Kheder & Sons, LLC after the Township’s professionals’ fees have been paid; and

WHEREAS, Kheder & Sons, LLC never developed the Subdivided Lots, and in 2016 the Subdivided Lots were conveyed to Hayam, LLC; and

WHEREAS, Hayam, LLC also did not develop the Subdivided Lots, and on June 9, 2017 the Subdivided Lots were conveyed to the State of New Jersey, Department of Environmental Protection for the purpose of open space and/or passive recreation pursuant to Green Acres restrictions; and

WHEREAS, since the Subdivided Lots were never developed and will not be developed in the future, the aforementioned performance guarantees and any remaining balance of the inspection fees are no longer required; and

WHEREAS, a maintenance guarantee is not required.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone as follows:

1. It hereby authorizes the release of the performance guarantees set forth above.

2. The balance of the inspection fees shall be returned to Kheder & Sons, LLC after the Township's professionals' fees have been paid.

3. The Township Clerk, Township Treasurer and all other appropriate municipal officials are hereby authorized to execute such documents and to perform such acts as are necessary to effectuate the purpose of this Resolution.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy be forwarded to each of the following:

- (a) Township Engineer
- (b) Township Treasurer
- (c) Kheder & Sons, LLC
- (d) Township Attorney

ROLL CALL:

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of August 2, 2017.

Maria Dellasala, RMC
Municipal Clerk

RESOLUTION NO. 17-141
MEETING DATE: 08-02-17

**RESOLUTION AUTHORIZING PROJECT COMPLETION - CLOSING STATEMENT
TO MONMOUTH COUNTY MUNICIPAL OPEN SPACE GRANT PROGRAM FOR
CLARKSBURG MEC-CRC HISTORIC PRESERVATION PROJECT - PHASE I**

C/Grbelja offered the following Resolution and moved its adoption which was second by C/Dorfman.

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Township of Millstone entered into a Municipal Open Space Program Grant Agreement with the County of Monmouth on March 1, 2017 that provided \$250,000.00 for Clarksburg MEC-CRC Historic Preservation Project - Phase 1 under Application No. 15-03 that required certain conditions be met by the Township of Millstone prior to receipt of the aforesaid funds; and

WHEREAS, the Monmouth County Park System requires a certified copy of a resolution of the governing body determining that the project aforesaid was finally complete and a closing statement of "Final Change Order" adopted by the governing body.

NOW, THEREFORE, BE IT RESOLVED by the governing body of Township of Millstone that all conditions of the on March 1, 2017 Grant Agreement have been satisfied by the Township of Millstone and that the project has been completed; and

BE IT FURTHER RESOLVED that the Township of Millstone made final payment to the contractor Robert Frizell, Inc. per the letter of the municipal engineer Matt Shafai of June 8, 2017 [Attached] and that payment was made per voucher [Attached] on June 21, 2017 under check no. 8543, which are hereby attached and also on file in the Municipal Clerk's Office.

ROLL CALL:

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

CERTIFICATION

I, Maria Dellasala, RMC do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Township of Millstone at a meeting held on the 2nd day of August, 2017.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 2nd day of August, 2017.

Maria Dellasala, RMC
Municipal Clerk

**RESOLUTION NO.17-142
MEETING DATE: 8-02-17**

**RESOLUTION DIRECTING TAX COLLECTOR TO WAIVE INTEREST ON REAL
ESTATES TAXES ON BLOCK 64, LOT 12**

C/Grbelja offered the following Resolution and moved its adoption, which was second by **C/Dorfman**:

WHEREAS, Monmouth County purchased Block 64 Lot 12 on February 8, 2017; and

WHEREAS, taxes on Block 64 Lot 12 will be past due when Monmouth County issues payment for 3rd. quarter taxes, which will cause a delinquency with interest due, therefore, Monmouth County would like the Township Committee to waive interest due in the amount of \$14.76,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millstone that the Tax Collector is hereby authorized to waive interest in the amount of \$14.76 on Block 64, Lot 12, now owned by Monmouth County.

BE IT FURTHER RESOLVED a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to the Tax Collector.

ROLL CALL:

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of August 2, 2017.

Maria Dellasala, RMC
Municipal Clerk

RESOLUTION NO. 17-143

SCHEDULE 17-08 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON August 2, 2017

SEE SCHEDULE 17-08 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 17-08 attached.

Michael Kuczinski, Mayor

Fiore Masci, Deputy Mayor

Nancy Grbelja, Committeewoman

Robert J. Kinsey, Committeeman

Gary Dorfman, Committeeman

Attest: _____
Maria Dellasala
Municipal Clerk

TOWNSHIP OF MILLSTONE
RESOLUTION NO. 17-143
August 2, 2017

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 17-08, August 2, 2017, Consolidated Bill List, and the vouchers listed below as Schedule 17-08 S, Supplement to Consolidated Bill List, as presented by the Township Treasurer, Amanda Salerno, to be paid from existing appropriations.

CURRENT FUND

TOTAL CURRENT FUND: \$ 131,663.33

SCHEDULE 17-08 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 5,928.74

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 53,335.20

GRANT FUND

TOTAL GRANT FUND \$ 2,830.53

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 289.90

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 479.70

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 4,712.50

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 44,055.25

MUNICIPAL DRUG ALLIANCE FUND

TOTAL MUNICIPAL DRUG ALLIANCE FUND \$ 0.00

VETERAN'S MEMORIAL TRUST FUND

TOTAL VET MEMORIAL TRUST FUND \$ 0.00

RECREATION TRUST FUND (DEDICATION BY RIDER)

TOTAL RECREATION TRUST FUND \$ 42,898.37

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 247.44

TOTAL FOR ALL FUNDS \$ 286,440.96

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 1,077.36

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 2,529.80

TOTAL FOR ESCROW \$ 3,607.16

RESOLUTION WAS OFFERED BY COMMITTEEPERSON GRBELJA
AND MOVED ITS ADOPTION;
MOTION WAS SECOND BY COMMITTEEPERSON DORFMAN
RESOLUTION WAS ADOPTED ON THE FOLLOWING ROLL CALL VOTES:

AYES: C/KINSEY, C/DORFMAN, C/GRBELJA, M/KUCZINSKI

NAYS: NONE

ABSTAIN: NONE

ABSENT: C/MASCI

RESOLUTION NO. 17-144
MEETING DATE: 08-02-17

**RESOLUTION AUTHORIZING VOIDING UNCLAIMED FUNDS
AND ADDING FUNDS TO THE MILLSTONE TOWNSHIP CURRENT FUND**

C/ Grbelja offered the following Resolution and moved its adoption, which was second by C/Dorfman.

WHEREAS, the following outstanding unclaimed funds in the Millstone Township Accounts have been outstanding for over 12 months:

<u>Date</u>	<u>Amount</u>	<u>Payable To:</u>	<u>Funds Returned To:</u>
4/21/16	\$63.000	Millstone Township Municipal Court	Current Fund

TOTAL: \$63.00

WHEREAS, a deposit was made in the amount of \$63.00 on April 21, 2016 by "ACH Elavon Mer Seres-Merch CHBK"; and

WHEREAS, the Municipal Court Administrator took all possible steps to try and track down the CHBK including contacting the State Help Desk, contacting the Bank, contacting the credit card services and a few more via the State through the State Internet System to no avail;

WHEREAS, since the unclaimed funds, totaling \$63.00, is over twelve months old, and numerous attempts have been made to track down the payees, it is recommended that the unclaimed funds be voided and the \$63.00 be turned over to the Millstone Township Current Fund, as detailed above.

NOW, THEREFORE, BE IT RESOLVED that the above referenced unclaimed funds totaling \$63.00 be voided and be turned over to the Millstone Township Current Fund Account.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy, be forwarded to the Township Chief Financial Officer.

ROLL CALL:

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of August 2, 2017.

Maria Dellasala, RMC
Municipal Clerk