

RESOLUTION NO. 18-181
MEETING DATE: 10-03-18

**RESOLUTION AUTHORIZING THE HOLDING OF AN EXECUTIVE SESSION, AT
WHICH THE PUBLIC SHALL BE EXCLUDED**

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

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:
 - 1 Contracts
 2. Items falling under the 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/Ferro, C/Grbelja, M/Dorfman
NAYS: None
ABSTAIN: None
ABSENT: C/Kuczinski, 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 October 3, 2018.

Maria Dellasala, RMC
Municipal Clerk

RESOLUTION NO. 18-182
MEETING DATE: 10-03-18

RESOLUTION APPOINTING PROFESSIONAL FOR 2018

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

WHEREAS, there exists a need for Wastewater Management Engineer; and

WHEREAS, The Local Public Contract Law (N.J.S.A. 40:A 11-1 et seq.) requires that the resolution of appointment be publicly advertised when professional services are engaged without competitive bids.

WHEREAS, this contract is not to exceed \$5,000.00, and;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Millstone that:

1. The Township Committee of Millstone Township and its Mayor and Clerk are hereby authorized and directed to engage the services of:

PROFESSIONAL	FIRM	POSITION
Sanford Mersky	South Jersey Engineers, LLC	Wastewater Management Consultant

2. This appointment is being made without competitive bidding because these appointments involve members of recognized professions, licensed and regulated by law, and are therefore specifically exempt under N.J.S.A. 40A:11-5.

3. These appointments are one (1) year appointments for the term from September 24, 2018 through September 24, 2019, as per 40A:9-140 and until they are re-appointed and/or their successors are appointed and have qualified. Writings indicating the agreements between the parties have been sent or shall be or are on file with the Township Clerk of Millstone Township.

4. The Mayor and Township Clerk are hereby authorized to execute Contracts for the provisions of the above services, a copy of which Contracts shall be maintained in the Township Clerk's Office.

5. A copy of this Resolution certified to be a true copy by the Township Clerk, shall be published in the official newspaper of the Township as required by law,

within 10 days of the adoption, and forwarded to each of the appointees and Township Chief Financial Officer.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chief Financial Officer and each of the above listed professional.

ROLL CALL:

AYES: C/Grbelja, C/Ferro, M/Dorfman

NAYS: None

ABSTAIN: None

ABSENT: C/Kuczinski, 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 October 3, 2018.

Maria Dellasala, RMC
Municipal Clerk

RESOLUTION NO. 18-183

SCHEDULE 18-10 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON October 3, 2018

SEE SCHEDULE 18-10 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 18-10 attached.

Gary Dorfman, Mayor

Nancy Grbelja, Deputy Mayor

Albert Ferro, Committeeman

Michael Kuczinski, Committeeman

Fiore Masci, Committeeman

Attest: _____
Maria Dellasala
Municipal Clerk

TOWNSHIP OF MILLSTONE
RESOLUTION NO. 18-183
October 3, 2018

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 18-10, October 3, 2018, Consolidated Bill List, and the vouchers listed below as Schedule 18-10 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: \$ 108,081.08

SCHEDULE 18-10 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 4,370.78

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 9,057.30

GRANT FUND

TOTAL GRANT FUND \$ 1,314.29

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 27,018.24

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 1,009.76

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 0.00

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 4,850.10

MUNICIPAL DRUG ALLIANCE FUND

TOTAL MUNICIPAL DRUG ALLIANCE FUND \$ 0.00

VETERAN'S MEMORIAL TRUST FUND

TOTAL VET MEMORIAL TRUST FUND \$ 75.00

RECREATION TRUST FUND (DEDICATION BY RIDER)

TOTAL RECREATION TRUST FUND \$ 6,577.83

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 763.55

TOTAL FOR ALL FUNDS \$ 163,117.93

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 1,506.02

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 2,025.00

TOTAL FOR ESCROW \$ 3,531.02

RESOLUTION WAS OFFERED BY COMMITTEEPERSON FERRO
AND MOVED ITS ADOPTION;
MOTION WAS SECOND BY COMMITTEEPERSON GRBELJA
RESOLUTION WAS ADOPTED ON THE FOLLOWING:

ROLL CALL:

AYES: C/GRBELJA, C/FERRO, M/DORFMAN

NAYS: NONE

ABSTAIN: NONE

ABSENT: C/KUCZINSKI, C/MASCI

RESOLUTION NO. 18-184
MEETING DATE: 10-03-18

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR
MILLSTONE DONUTS, LLC (DUNKIN DONUTS), SITE PLAN NO. Z17-07,
(BLOCK 18, LOT 2.01)**

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

WHEREAS, the Developer for Site Plan No. Z17-07, located on Route 537, has requested a release of its performance guarantees previously posted with the Township of Millstone in accordance with its previously received Planning Board approvals; and

WHEREAS, the Township Engineer has, in a letter dated September 14, 2018 (attached hereto as Exhibit "A") recommended that the following performance guarantees be released:

Performance Bond: Posted in cash in the amount of \$7,560.00.

Cash Bond Deposit in the amount of \$840.00.

WHEREAS, since this was a small project with no public improvements, the Township Engineer has requested waiving the requirement of the posting a maintenance bond.

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 in the Township Engineer's letter dated September 14, 2018.
2. 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.
3. Pursuant to the recommendation of the Township Engineer as set forth in the letter referred to above, the Township hereby accepts the public improvements, if any, to be accepted by the Township of Millstone pursuant to the Planning Board approval.

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) Developer
- (d) Township Attorney

ROLL CALL:

AYES: C/Grbelja, C/Ferro, M/Dorfman

NAYS: None

ABSTAIN: None

ABSENT: C/Kuczinski, 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 October 3, 2018.

Maria Dellasala, RMC
Municipal Clerk

RESOLUTION NO. 18-185
MEETING DATE: 10-03-18

**RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR
XXXIII ASSOCIATES/RIVERSIDE CENTER, LLC, SUBDIVISION NO. P06-02
(BLOCK 18, LOT 2.02)**

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

WHEREAS, the developer of Subdivision No. P06-02, located on State Highway 33, requested that certain performance guarantees be reduced due to the completion of certain items required pursuant to the posted performance guarantees; and

WHEREAS, the Township Engineer has, in a letter dated September 14, 2018, revised September 25, 2018, a copy of which is annexed hereto as Exhibit "A", recommends the following:

Letter of Credit No. 1283, issued by Ocean First Bank, dated April 1, 2017
be reduced to \$1,106,382.37.

Cash performance guarantee be reduced to \$122,931.37.

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

1. It hereby authorizes the reduction of performance guarantees in accordance with the recommendation of the Township Engineer conditioned upon the following:

(a) The Developer presenting the Township Clerk with a certification of the Township Treasurer that all inspection fees have been paid in full.

(b) The Developer by accepting the reduction approved herein, agrees to post maintenance bonds for the improvements at such time as required by the Township Engineer, but in no circumstance later than the release of the balance of the performance guarantee.

2. A certified copy of this Resolution shall be provided by the Township Clerk to each of the following:

- (a) Township Engineer
- (b) Township Treasurer
- (c) Township Attorney
- (d) Developer

ROLL CALL:

AYES: C/Grbelja, C/Ferro, M/Dorfman

NAYS: None

ABSTAIN: None

ABSENT: C/Kuczinski, 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 at its regular meeting held on October 3, 2018.

Maria Dellasala, RMC
Municipal Clerk

RESOLUTION NO. 18-186
MEETING DATE: 10-03-18

**RESOLUTION AWARDING A CONTRACT FOR THE 2018 ROADWAY
IMPROVEMENT PROGRAM**

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

WHEREAS, on Thursday, September 27, 2018 at 10:00 a.m. the Township Engineer accepted bids for the 2018 Roadway Improvement Program; and

WHEREAS, the following bids were received:

Meco, Inc.	\$762,245.36
Z Brothers Concrete Contractors	\$861,072.97
Earle Asphalt Company	\$900,513.13
Fernandes Construction, Inc.	\$960,291.00; and

WHEREAS, the Township Engineer has recommended awarding the Contract to Meco, Inc. in the amount of \$762,245.36, subject to the availability of funds and approval of the New Jersey Department of Transportation Commissioner.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone hereby awards a Contract to Meco, Inc. for the 2018 Roadway Improvement Program in the total amount of \$762,245.36, subject to the availability of funds and approval of the New Jersey Department of Transportation Commissioner.

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.

ROLL CALL:

AYES: C/Grbelja, C/Ferro, M/Dorfman

NAYS: None

ABSTAIN: None

ABSENT: C/Kuczinski, 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 October 3, 2018.

Maria Dellasala, RMC
Municipal Clerk

**RESOLUTION NO. 18-187
MEETING DATE: 10-03-18**

**RESOLUTION AUTHORIZING EXECUTION OF ROAD, DRAINAGE, UTILITIES
AND APPURTENANCES MAINTENANCE AGREEMENT WITH XXXIII
ASSOCIATES/RIVERSIDE CENTER, LLC, RIVERSIDE CENTER PROPERTY
OWNERS' ASSOCIATION, INC. AND MILLSTONE TOWNSHIP IN CONNECTION
WITH THE RIVERSIDE CENTER PROJECT LOCATED ON HIGHWAY 33, BLOCK
18, LOT 2.02**

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

WHEREAS, in connection with the Riverside Center project located on Highway 33, Block 18, Lot 2.02, it is necessary to enter into a Road, Drainage, Utilities and Appurtenances Maintenance Agreement with XXXIII Associates/Riverside Center, LLC, Riverside Center Property Owners' Association and the Township of Millstone for maintenance of Farrington Boulevard and DeBaun Road which will be public roadways.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Millstone that the Mayor is hereby authorized to execute and the Township Clerk to attest the attached Road, Drainage, Utilities and Appurtenances Maintenance Agreement between the Township of Millstone, XXXIII Associates/Riverside Center, LLC and Riverside Center Property Owners' Association.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be provided by the Township Clerk to each of the following: Township Engineer, Township Attorney, Township Planning Board, Township Construction Official and William J. Mehr, Esq., Sonnenblick, Parker & Selvers, PC, 4400 Route 9 South, Freehold, New Jersey, 07728.

ROLL CALL:

AYES: C/Grbelja, C/Ferro, M/Dorfman

NAYS: None

ABSTAIN: None

ABSENT: C/Kuczinski, C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its regular meeting of October 3, 2018.

Maria Dellasala, RMC
Municipal Clerk