

RESOLUTION NO. 20-289
MEETING DATE: 09-02-2020

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

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

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. Items Falling Under Attorney/Client Privilege
 2. Personnel

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/Ferro, DM/Grbelja, C/Kuczinski
NAYS: None
ABSTAIN: None
ABSENT: M/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 September 2, 2020.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 20-290

SCHEDULE 20-09 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON September 2, 2020

SEE SCHEDULE 20-09 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 20-09 attached.

Fiore Masci, Mayor

Nancy Grbelja, Deputy Mayor

Gary Dorfman, Committeeman

Albert Ferro, Committeeman

Michael Kuczinski, Committeeman

Attest: _____
Kathleen Hart
Municipal Clerk

TOWNSHIP OF MILLSTONE
RESOLUTION NO. 20-290
September 2, 2020

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 20-09, September 2, 2020, Consolidated Bill List, and the vouchers listed below as Schedule 20-09 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: \$ 177,723.76

SCHEDULE 20-09 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 4,990.18

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 196,499.50

GRANT FUND

TOTAL GRANT FUND \$ 1,162.50

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 168.00

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 74.95

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 5,284.00

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 16,285.00

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 \$ 8,498.87

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 370.10

TOTAL FOR ALL FUNDS \$ 411,056.86

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 5,207.25

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 14,038.50

TOTAL FOR ESCROW \$ 19,245.75

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

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: M/Masci

RESOLUTION NO: 20-291
MEETING DATE: 09-02-2020

**RESOLUTION DENYING REQUEST FOR RELEASE OF PERFORMANCE
GUARANTEES FOR GAELIC COMMUNICATIONS, LLC, APPLICATION NO. Z16-03
(BLOCK 43, LOT 4)**

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

WHEREAS, the developer of Zoning Application No. Z16-03, located on Woodville Road, has requested a release of its performance guarantees; and

WHEREAS, the Township Engineer has conducted an inspection and by letter dated August 20, 2020 (a copy of which is attached hereto as Exhibit "A") recommends that there be no release of the performance guarantees.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the request of the developer of Gaelic Communications, LLC for release of performance guarantees is hereby denied based upon the recommendation of the Township Engineer.

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 Engineer, Township Chief Financial Officer, Township Treasurer, Township Attorney and to the Developer by certified mail, return receipt requested.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: M/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of September 2, 2020.

KATHLEEN HART, RMC
Municipal Clerk

LEON S. AVAKIAN, INC. *Consulting Engineers*

788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1953-2004)
PETER R. AVAKIAN, P.E., P.L.S., P.P.
MEHRYAR SHAFAI, P.E., P.P.
GREGORY S. BLASH, P.E., P.P.
LOUIS J. LOBOSCO, P.E., P.P.
GERALD J. FREDA, P.E., P.P.
RICHARD PICATAGI, L.L.A., P.P.
JENNIFER C. BEAHM, P.P., AICP
CHRISTINE L. BELL, P.P., AICP
SAMUEL J. AVAKIAN, P.E.

August 20, 2020

Ms. Kathleen Hart, Clerk
Township of Millstone
470 Stage Coach Road
Millstone Township, NJ 08510

**Re: Bond Release
Gaelic Communications, LLC
Block 43, Lot 4 (Z16-03)
Our File MS 19-11**

Dear Ms. Hart:

The developer for the above referenced project requested a release of their Performance Guarantee.

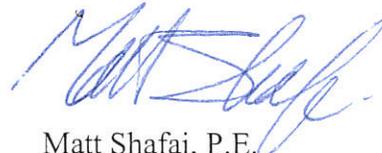
Please be advised that we recommend this request to be denied due to the following reasons:

1. The sound barrier, Accoustifence, has not been installed.
2. Three (3) dead evergreen trees need to be replaced.

Should you have any questions regarding this matter, please do not hesitate to contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.



Matt Shafai, P.E.
Township Engineer

MS: mcs
cc: Robert Munoz, Esq., Twp. Atty.
Amanda Salerno, Finance
MS/19/19-11a

RESOLUTION NO. 20-292
MEETING DATE: 09-02-2020

**RESOLUTION AWARDING PROFESSIONAL SERVICE CONTRACT FOR
WEBSITE, EMAILS AND ARCHIVING, SPAM/VIRUS FILTERING
ANNUAL MAINTENANCE CONTRACT TO CITY CONNECTIONS, LLC**

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

WHEREAS, the Township of Millstone has the need to enter into an Annual Maintenance Contract with City Connections, LLC of Barnegat, NJ who is the provider of our current website www.millstonenj.gov, email and email archiving and spam/virus filtering; and

WHEREAS, the local Public Contracts Law (N.J.S.A.40A:11-1 et seq) exempts professional services from public advertising for bids which may be awarded by resolution of the Governing Body; and

WHEREAS, City Connections, LLC has already completed and submitted a Business Entity Disclosure Certification which certifies that the Firm and its members and employees have not made any reportable contributions to a political or candidate committee in the Township of Millstone in the previous one year, and that the contract will prohibit the Firm from making any reportable contributions through the term of the contract.

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

1. The Mayor or Township Administrator of the Township of Millstone is hereby directed to execute and deliver a professional service contract for a term of one year commencing March 26, 2020 to March 25, 2021, as follows:

Description of Professional Service:	Website, Emails and Archiving, Spam/Virus Filtering Annual Maintenance Contract
Name of Professional:	City Connections, LLC
Cost:	\$8,300.00

2. Funds are available for this purpose and the required certificate of availability of funds issued by the Township's Chief Financial Officer is annexed hereto.
3. A brief notice stating the nature, duration, service, reference to the contract regarding the amount and that this resolution and the contract are on file and available for public inspection in the Clerk's Office.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja
NAYS: None
ABSTAIN: None
ABSENT: M/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 September 2, 2020.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 20-293
MEETING DATE: 09-02-2020

**RESOLUTION AUTHORIZING THE PURCHASE OF A TORO DINGO WITH
ATTACHMENTS TO CHERRY VALLEY TRACTOR SALES IN ACCORDANCE
WITH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY
COOPERATIVE CONTRACT 18/19-22 (SNOW EQUIPMENT) AND 18/19-25
(GROUNDS EQUIPMENT)**

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

WHEREAS, the Township of Millstone has a need to purchase a Toro Dingo with attachments, from an authorized vendor under the Educational Services Commission of NJ (ESCNJ) Co-Op Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Contracts Law, 40A: 11-12; and

WHEREAS, The ESCNJ has awarded a contract as ESC Co-op #65MCESCCPS - 18/19-22 (Snow Equipment) and 18/19-25 (Grounds Equipment) to Cherry Valley Tractor Sales; and

WHEREAS, the Qualified Purchasing Agent recommends the utilization of this contract on the grounds that they can provide the quality of product at the most reasonable price; and

WHEREAS, the cost for the purchase is not to exceed \$47,154.50; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract are available in the line item number C-04-55-973-901.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that the purchase of a Ford Escape using ESCNJ Co-Op 65MCESCCPS be and is ratified.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja
NAYS: None
ABSTAIN: None
ABSENT: M/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 September 02, 2020.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO: 20-294
MEETING DATE: 09-02-2020

**RESOLUTION AUTHORIZING THE RENEWAL OF ALCOHOL BEVERAGE
2020-2021 LICENSE FOR VESUVIO'S FAMILY RESTAURANT, LLC,
LICENSE NO. 1332-33-001-010**

C/Dorfman offered the following resolution and moved its adoption, which was second by **C/Kuczinski**.

WHEREAS, as a result of the Coronavirus disease (Covid-19), by order of the Division of Alcoholic Beverage Control, the 2019-2020 municipally-issued license for the 2019-2020 license term has been extended to Wednesday, September 30, 2020; and

WHEREAS, application for renewal of Vesuvio's Family Restaurant, LLC. for the 2020-2021 Alcoholic Beverage License has been filed with the Municipal Clerk prior to the commencement of the new license term which is sought; and

WHEREAS, Notices of the application for renewal of Municipal Licenses, other than Seasonal Retail Consumption Licenses, issued by Municipal Issuing Authorities are not required to advertise Notice of Application. In lieu thereof, the director shall cause a General Notice of Application to be published once a week, from the week of April 1, through the week of June 1, in a newspaper printed in the English language and published and circulated in the Counties in which the premises of the application for such renewals are located; and

WHEREAS, the Municipal fee of \$2,500.00 has been received by the Municipal Clerk and no objections have been made to the renewal of said licenses; and

WHEREAS, said application is complete and in reliance upon the information contained therein.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Millstone, in the County of Monmouth, State of New Jersey, that the application of the below listed party be and is hereby approved for renewal of their Alcoholic Beverage License for the term year.

PLENARY RETAIL CONSUMPTION LICENSE NO. 1332-33-001-010 TO VESUVIO'S FAMILY RESTAURANT, LLC , LOCATED AT 221 MILLSTONE ROAD, MILLSTONE TOWNSHIP, NJ 08535. EFFECTIVE DATE OF NEW LICENSE TERM, JULY 1, 2020 TO JUNE 30, 2021. FEE PAID \$2,500.

BE IT FURTHER RESOLVED, that a copy of this Resolution, certified by the Municipal Clerk to be a true copy be forwarded to the Division of Alcoholic Beverage, CN 087, Trenton, N.J. 08625-0087 and to the applicant.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: M/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of September 2, 2020.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 20-295
MEETING DATE: 09-02-2020

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND AND
POSTING OF 2-YEAR MAINTENANCE BOND FOR LENZO FAMILY, LLC, BLOCK
17, LOT 8.06, SITE PLAN NO. Z16-6**

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

WHEREAS, on July 29, 2020, Lenzo Family LLC requested a release of their posted performance bond in the amount of \$ 64,371.60, which was posted by certified checks, in connection with the site plan for Block 17, Lot 8.06, and

WHEREAS, pursuant to N.J.S.A. 40:55D-53, the Township Engineer, Leon S. Avakian, Inc., has inspected the site in question and reported his findings to the Township Clerk by letter dated August 25, 2020 and recommends the release of all performance guaranties, subject to conditions, including the positing of a two (2) year maintenance guarantee in the amount of \$47,817.00 as required by the Township of Millstone Land Use and Development Regulations, Section 13-5.j, depositing a \$ 1,000.00 Inspection Escrow and payment of all outstanding bills from Township Professionals.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Millstone that the performance bond posted by Lenzo Family LLC be and is hereby released subject to conditions contained in this Resolution.

BE IT FURTHER RESOLVED that conditions of that release, Lenzo Family LLC shall:

1. Posting of a 2-year Maintenance Bond in the amount of \$ 47,817.00 and Inspection fee Escrow of \$ 1,000.00 as required by law; and
2. Pay any outstanding fees including engineering inspection fees.

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 Zoning Board, Township Construction Official, Township CFO and the Developer.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja
NAYS: None
ABSTAIN: None
ABSENT: M/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 September 2, 2020.

Kathleen Hart, RMC/CMR
Municipal Clerk

RESOLUTION NO. 20-296
MEETING DATE: 09-02-2020

RESOLUTION APPROVING CHANGE ORDER NO. 1
FOR SECURITY AND CABLING – LABOR AND INSTALLATION – PHASE III

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

WHEREAS, the Township entered into a contract with NetQ, Multimedia Company, Inc., which is under State Contract No. 88739, T2989 and T1778 (expiring 3/9/2021), in the amount of \$115,527.23 for the installation of security systems at the Court House, Brandywine Park, Community Center, Millstone Park and Wagner Farm Park – Phase III

WHEREAS, the Township has required an addition to the scope of work at Wagner Farm Park; and

WHEREAS, the new charges have resulted in an increase in the amount of \$7,682.95.

WHEREAS, the new contract amount is now \$123,210.18.

WHEREAS, notification was provided to the Township Committee by the Business Administrator explaining the importance of the change needed; the Township Committee agrees that the change order is reasonable and necessary; and the CFO has certified the availability of funds in account C-04-55-972-901.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Change Order No. 1, resulting in an increase in the contract in the amount of \$7,682.95 is hereby approved and the Mayor, Business Administrator or Clerk are hereby authorized to execute this Change Order.

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. NetQ Multimedia Company
- b. Township Attorney
- c. Township Administrator/CFO
- d. Township Treasurer/QPA

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: M/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of September 2, 2020.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO. 20-297
MEETING DATE: 09-02-2020

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR EMERGENCY
TREE REMOVAL SERVICES ON 99 BROOKSIDE ROAD AND 311 STAGECOACH
ROAD ON AUGUST 28, 2020**

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

WHEREAS, the CPWM of the Department of Public Works, has advised of the need for emergency tree removals, one located at 99 Brookside Road and a second located at 311 Stagecoach Road; and

WHEREAS, such removals were needed immediately due to public health, safety or welfare needs; and

WHEREAS, the Qualified Purchasing Agent recommends an emergency contract be awarded to Tree Wise Men, LLC, Inc. in the amount of \$1,200.00, to immediately make the necessary tree removals; and

WHEREAS, the Chief Financial Officer has certified funds are available in the following Budget Account: 0-01-26-290-216.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone hereby authorizes an Emergency Contract with Tree Wise Men, LLC in the amount of \$1,200.00.

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the following:

- a. Township Administrator/Chief Financial Officer
- b. Qualified Purchasing Agent/Treasurer
- c. Tree Wise Men, LLC

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: M/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of September 2, 2020.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 20-298
MEETING DATE: 09-02-2020

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR EMERGENCY
TREE REMOVAL SERVICES ON MILLSTONE ROAD AND CHARLESTON SPRING
ROAD ON AUGUST 31, 2020**

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

WHEREAS, the CPWM of the Department of Public Works, has advised of the need for emergency tree removals, one located at 162 Millstone Road and a second located at 3 Charleston Spring Road; and

WHEREAS, such removals were needed immediately due to public health, safety or welfare needs; and

WHEREAS, the Qualified Purchasing Agent recommends an emergency contract be awarded to Central Jersey Tree Experts, Inc. in the amount of \$500.00, to immediately make the necessary tree removals; and

WHEREAS, the Chief Financial Officer has certified funds are available in the following Budget Account: 0-01-26-290-216.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone hereby authorizes an Emergency Contract with Central Jersey Tree Experts, Inc. in the amount of \$500.00

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the following:

- a. Township Administrator/Chief Financial Officer
- b. Qualified Purchasing Agent/Treasurer
- c. Central Jersey Tree Experts

ROLL CALL:

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of September 2, 2020.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 20-299
MEETING DATE: 09-02-2020

**RESOLUTION ESTABLISHING LIEN AGAINST BLOCK 6, LOT 7.05,
30 NURKO ROAD, MILLSTONE TWP., NJ 08535**

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

WHEREAS, the grass at 30 Nurko Road, Millstone Twp., NJ 08535, Block 6, Lot 7.05, was well exceeding the height permitted by the Township's Property Maintenance Code, in addition to creating a nuisance for the neighbors; and

WHEREAS, the Code Enforcement Officer was unable to get any responsible party to cut the grass after numerous efforts; and

WHEREAS, the Township Administrator determined that it was necessary to have the grass cut by the Department of Public Works; and

WHEREAS, the Township Administrator, has certified to the Township Committee that the cost of such activity was \$485.00 (a copy of the Certificate is attached hereto).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Millstone that it finds, upon its review of the attached Certificate, that the cost imposed is reasonable and certifies to the Tax Collector that a lien in the amount of \$485.00 be placed against the property so that the Township can be reimbursed its expense.

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:

1. Township Administrator.
2. Township Tax Collector.
3. Property Owner as shown on the Tax Collector's Records.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: M/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of September 2, 2020.

Kathleen Hart, RMC
Municipal Clerk