

TOWNSHIP OF MILLSTONE  
Meeting Room  
215 Millstone Road  
Millstone Township, NJ 08535

**TOWNSHIP COMMITTEE MINUTES  
FEBRUARY 19, 2020**

**Mayor Masci calls the meeting to order at 7:00 p.m.**

**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 TO THE ASBURY PARK PRESS AND THE TRENTON TIMES, POSTED ON THE PUBLIC ANNOUNCEMENTS BULLETIN BOARD IN TOWN HALL AND FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON NOVEMBER 27, 2019.**

**ROLL CALL:** Mayor Masci – present, Committeeman Dorfman – present, Committeeman Ferro - present, Committeewoman Grbelja – present, Committeeman Kuczinski – present. Also, in attendance: Robert Munoz - Township Attorney, Business Administrator – Kevin Abernethy and Kathleen Hart - Municipal Clerk.

Municipal Clerk read Resolution 19-83 Authorizing the Holding of an Executive Session, at Which the Public Shall be Excluded

**Motion to adopt:** Moved by DM/Grbelja, Second C/Kuczinski.  
Committee Discussion: None

**ROLL CALL VOTE:**

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

Motion to adjourn Executive Session was moved by DM/Grbelja, Second C/Dorfman. All in Favor

Time In: 7:02 pm; Time Out: 7:58 pm

Mayor Masci calls the Regular Meeting to order at 8:07 pm and asks Barry Frost to lead the flag salute followed by a moment of silence.

Mayor Masci read the following statement:

The Township of Millstone will be videotaping this meeting for replay on Millstone PEG Channel. By attending this evening, attendees acknowledge this recording and agree to allow their images to be recorded.

All attendees and participants agree to conduct themselves in a manner appropriate for public gathering. Individual speakers should be advised that no right of privacy protects a person's public comments made in a public forum. Accordingly, all participants bear responsibility for their own statements and commentary.

**ORDINANCES:**

**FIRST READING:**

**ORDINANCE 20-02 ORDINANCE AMENDING CHAPTER XXXV (LAND USE) ARTICLE 5, (ZONING DISTRICT REGULATIONS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY TO ADD NEW SECTION 5-17 (ACCESSORY APARTMENTS)**

**EXPLANATORY STATEMENT:** This Ordinance revision provides for the opportunity to create affordable housing units to assist Millstone Township in meeting its affordable housing obligation pursuant to the Mount Laurel Doctrine.

Motion to adopt on first reading and authorize publication of same. Moved DM/Grbelja, Second C/Kuczinski. Committee Discussion: None

**VOTE:**

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

Second reading and Public Hearing to be held on March 18, 2020 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

**FIRST READING:**

**ORDINANCE 20-03 AN ORDINANCE OF THE TOWNSHIP OF MILLSTONE AMENDING THE GENERAL CODE OF THE TOWNSHIP OF MILLSTONE BY REPEALING AND REPLACING ARTICLE 8 “AFFORDABLE HOUSING” TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATIONS AND TO ESTABLISH THE DEVELOPMENT FEES PERTAINING TO THE TOWNSHIP’S AFFORDABLE HOUSING TRUST FUND**

**EXPLANATORY STATEMENT:** This Ordinance provides for the opportunity to create affordable housing units to assist Millstone Township in meeting its obligation to provide its fair share of affordable housing pursuant to the Mt. Laurel Doctrine in compliance with a certain Settlement Agreement dated September 5, 2019 and approved by the Superior Court of New Jersey in the case of **In the Matter of the Application of the Township of Millstone and the Planning Board of the Township of Millstone, County of Monmouth Docket No. MON-L-2501-15.** The Ordinance replaces former Article 8 in its entirety in order to update it to comply with current standards to address the requirements of the Fair Housing Act and the Uniform Housing Affordability Controls (UHAC) regarding compliance with the Township’s affordable housing obligations and to establish the Development Fees pertaining to the Townships Affordable Housing Trust Fund.

Motion to adopt on first reading and authorize publication of same. Moved C/Dorfman, Second C/Kuczinski. Committee Discussion: None

**VOTE:**

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

Second reading and Public Hearing to be held on March 18, 2020 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

**FIRST READING:**

**ORDINANCE 20-04 ORDINANCE AMENDING CHAPTER XXXV (LAND USE AND DEVELOPMENT REGULATIONS), ARTICLE 5, SECTIONS 5-2 AND 5-3.1 ADDING THE R-MF MULTI-FAMILY ZONE DISTRICT TO THOSE SECTIONS AND THE SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS (SECTION 5-5) AND CREATING NEW SECTION 5-17 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**EXPLANATORY STATEMENT:** This Ordinance revision is designed to implement the provisions of the Settlement Agreement reached between Millstone Township, Fair Share Housing Center and Showplace Farms, LLC and approved by Order of the Superior Court of New Jersey, Monmouth County, Law Division, Docket No. MON-L-2501-15 dated November 12, 2019 resolving the Township of Millstone’s Mount Laurel Declaratory Judgment action to satisfy its Constitutional obligation to provide its fair share of affordable housing.

Motion to adopt on first reading and authorize publication of same. Moved C/Kuczinski, Second DM/Grbelja. Committee Discussion: None

**VOTE:**

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

Second reading and Public Hearing to be held on March 18, 2020 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

**FIRST READING:**

**ORDINANCE 20-05 ORDINANCE AMENDING CHAPTER XXXV (LAND USE AND DEVELOPMENT REGULATIONS), ARTICLE 5, SECTION 5-13 AND THE SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS (SECTION 5-5) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**EXPLANATORY STATEMENT:** This Ordinance revision is designed to implement the provisions of the Settlement Agreement reached between Millstone Township, Fair Share Housing Center and Showplace Farms, LLC and approved by Order of the Superior Court of New Jersey, Monmouth County, Law Division, Docket No. MON-L-2501-15 dated November 12, 2019 resolving the Township of Millstone’s Mount Laurel Declaratory Judgment action to satisfy its Constitutional obligation to provide its fair share of affordable housing.

Motion to adopt on first reading and authorize publication of same. Moved DM/Grbelja, Second C/Dorfman. Committee Discussion: None

**VOTE:**

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

Second reading and Public Hearing to be held on March 18, 2020 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

**FIRST READING:**

**ORDINANCE 20-06 ORDINANCE AMENDING CHAPTER XXXV (LAND USE AND DEVELOPMENT REGULATIONS), ARTICLES 3, 4, 5, 7, 9, 11 AND 17, SECTIONS 3-9.3 (ESCROW FEES), 4-9.12 (FENCES), 4-11.4 (NOISE), 4-14.8.c.1 (SITE DEVELOPMENT STORMWATER PLAN), 4-16 (ARCHITECTURAL GUIDELINES & DESIGN STANDARDS FOR NONRESIDENTIAL BUILDINGS), 5-15 (PCD PLANNED COMMERCIAL DEVELOPMENT) 5-16, 5-16.2, 5-16.4, 5-16.6 (FHSC), 7-3.4 (EMERGENCY SPILLWAYS), 9-5 (ENVIRONMENTAL CONSTRAINTS) 11-5.9, 11-11, 11-14.8.b, 11-24, 11-25.6, 11-30, 11-32.3, 11-33 (DESIGN AND PERFORMANCE STANDARDS) AND 17-1 (RIPARIAN ZONE ORDINANCE) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**EXPLANATORY STATEMENT:** This Ordinance revision is designed to implement the provisions of the Settlement Agreement reached between Millstone Township, Fair Share Housing Center and Showplace Farms, LLC and approved by Order of the Superior Court of New Jersey, Monmouth County, Law Division, Docket No. MON-L-2501-15 dated November 12, 2019 resolving the Township of Millstone's Mount Laurel Declaratory Judgment action to satisfy its Constitutional obligation to provide its fair share of affordable housing.

Motion to adopt on first reading and authorize publication of same. Moved C/Kuczinski, Second C/Dorfman. Committee Discussion: None

**VOTE:**

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

Second reading and Public Hearing to be held on March 18, 2020 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

**FIRST READING:**

**ORDINANCE 20-07 ORDINANCE AMENDING CHAPTER XXXV (LAND USE AND DEVELOPMENT REGULATIONS), ARTICLE 5, SECTION 5-7 AND THE SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS (SECTION 5-5) OF THE REVISED GENERAL ORDINANCES OF THE**

**TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**EXPLANATORY STATEMENT:** This Ordinance revision is designed to implement the provisions of the Settlement Agreement reached between Millstone Township, Fair Share Housing Center and Showplace Farms, LLC and approved by Order of the Superior Court of New Jersey, Monmouth County, Law Division, Docket No. MON-L-2501-15 dated November 12, 2019 resolving the Township of Millstone’s Mount Laurel Declaratory Judgment action to satisfy its Constitutional obligation to provide its fair share of affordable housing.

Motion to adopt on first reading and authorize publication of same. Moved C/Kuczinski, Second DM/Grbelja. Committee Discussion: None

**VOTE:**

**AYES:** C/Ferro, DM/Grbelja, C/Kuczinski, C/Dorfman, M/Masci

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Second reading and Public Hearing to be held on March 18, 2020 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.**

- 20-84 Payment of Vouchers for February 19, 2020
- 20-85 Resolution Amending Resolution 20-76
- 20-86 Resolution Authorizing the Execution of a Developer's Agreement for Black Bear Lake Real Estate Co., LLC, Block 35, Lots 17.01, 19, 19.01, 19.02 and 20, Site Plan No. PB19-02
- 20-87 Resolution Appointing Temporary Electrical Inspector/Subcode Official
- 20-88 Resolution Authorizing State Contract Purchase for Security and Cabling - Labor and Installation (T-2989), Cable and Associated Products (T-1778) Under (State Contract #A88739)
- 20-89 Resolution Authorizing State Contract Purchase to SHI for Municipal Management Software
- 20-90 Resolution Adopting the ‘Affirmative Marketing Plan’ for the Township of Millstone
- 20-91 Resolution of the Township Committee of the Township of Millstone to Fund the Rehabilitation Program of the 2020 Amended Housing Element and Fair Share Plan
- 20-92 Resolution of the Township Committee of the Township of Millstone Appointing Municipal Housing Liaison
- 20-93 Resolution of the Township Committee of the Township of Millstone Endorsing the 2020 Housing Element and Fair Share Plan
- 20-94 Resolution of the Township Committee of the Township of Millstone Expressing its Intent to Fund for the Municipality’s Affordable Housing Obligation
- 20-95 A Resolution of the Township Committee of the Township of Millstone Approving the Execution of the Developer’s Agreement Between Millstone Township and Affordable Housing Alliance for the Development of the Allen House II Property

**Motion to adopt Consent Agenda 20-84 through 20-95:** Moved DM/Grbelja, Second C/Kuczinski

No Committee Discussion.

**ROLL CALL VOTE:**

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

**REPORTS FROM VARIOUS DEPARTMENTS FOR JANUARY 2020:**

Tax Collector	\$3,185,459.90
Clerks Report	\$ 1,498.00
Dog License	\$ 4,125.60
Recreation	\$ 3,325.31
Building Department	\$ 60,694.00
COAH	\$ 88,155.00
Municipal Court	\$ 16,139.81
2020 Interest Revenue	

Motion to file, Moved C/Ferro, Second C/Kuczinski. All in Favor.

**TOWNSHIP COMMITTEE MINUTES:**

1. Regular Session Minutes – January 15, 2020

**Motion to adopt:** Moved DM/Grbelja, Second C/Dorfman.  
No Committee Discussion.

**ROLL CALL VOTE:**

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

2. Regular Session Minutes – February 5, 2020

**Motion to adopt:** Moved C/Ferro, Second C/Dorfman.  
No Committee Discussion.

**ROLL CALL VOTE:**

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

3. Executive Session Minutes – November 23, 2019

**Motion to adopt:** Moved DM/Grbelja, Second C/Kuczinski.  
No Committee Discussion.

**ROLL CALL VOTE:**

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

**NAYS:** None  
**ABSTAIN:** M/Masci  
**ABSENT:** None

4. Executive Session Minutes – December 4, 2019

**Motion to adopt:** Moved DM/Grbelja, Second C/Kuczinski.  
No Committee Discussion.

**ROLL CALL VOTE:**

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

**PARADE/DEMONSTRATION/PUBLIC ASSEMBLY APPLICATION:**

1. Cars & Coffee of NJ - Car Show: Sunday car shows to take place on 4/26, 5/17, 6/7, 6/28, 7/12, 7/26, 8/16, 8/30, 9/27, 10/18 from 7:00am – 11:30am on Rike Drive in the Moto Industrial Park, (has received permission from Association).

M/Masci said it is a wonderful event. If you get a chance, please go and check it out.

**Motion to approve:** Moved C/Ferro, Second DM/Grbelja. All in Favor.

**APPLICATION FOR A RAFFLE LICENSE:**

1. Lep Foundation for Youth Education, Off-Premise 50/50 raffle, drawing date to be held on September 17, 2020 at 8:00 p.m. located at 9 Whispering Spring Drive, Millstone Twp.

**Motion to approve:** Moved C/Dorfman, Second C/Kuczinski. All in Favor.

**NEW BUSINESS:**

M/Masci said a member of the Environmental Commission will be attending the Township Committee meetings and introduces Barry Frost, Environmental Commission member. Mr. Frost reminds the Township Committee that the lines need to be painted on certain roads and thanks the Township Committee for all their hard work.

Township Attorney said there are two new resolutions that have been added to the agenda as a result of the executive session earlier, the Township Committee needs to take action in open session.

Township Attorney read in full Resolution 20-96:

**Resolution Removing Construction Official, Electrical Sub-Code Official  
and Electrical Inspector**

**WHEREAS**, by way of Resolutions 19-153, 19-154 and 19-155, Matthew Pressey was appointed to serve as the Construction Official, Electrical Sub-Code Official and Electrical Inspector with an effective date of July 8, 2019; and

**WHEREAS**, the aforesaid individual was properly notified that the Township Committee would be addressing these positions as well as the terms of his employment at this Township Committee Meeting; and

**WHEREAS**, the Township Committee has made the determination that it is in the best interest of the Township to remove Matthew Pressey from the positions of Construction Official, Electrical Sub-Code Official and Electrical Inspector.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Millstone that Matthew Pressey be and is hereby removed from the positions of Construction Official, Electrical Sub-Code Official and Electrical Inspector effective immediately.

**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) Matthew Pressey.
- (2) New Jersey Department of Community Affairs.
- (3) Township Chief Financial Officer.
- (4) Township Business Administrator.

**Moved to adopt Resolution 20-96:** Moved C/Kuczinski, Second C/Dorfman  
No Committee Discussion.

**ROLL CALL VOTE:**

**AYES:** DM/Grbelja, C/Kuczinski, C/Dorfman, C/Ferro, M/Masci

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Township Attorney read in full Resolution 20-97:

**RESOLUTION APPOINTING DENNIS GIBSON AS  
ACTING CONSTRUCTION OFFICIAL**

**WHEREAS**, a vacancy currently exists in the position of Construction Official; and

**WHEREAS**, in accordance with N.J.A.C. 5:23-4.4(a)(6), a municipality shall appoint an acting Construction Official any time the absence of such official would impede the orderly administration of the Uniform Construction Code; and

**WHEREAS**, the Township Committee wishes to appoint Dennis Gibson as the Acting Construction Official for a period of thirty (30) days.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Millstone that Dennis Gibson be and is hereby appointed to serve as the Acting Construction Official for a period of thirty (30) days effective February 20, 2020.

**BE IT FURTHER RESOLVED**, that the salary provided to the Acting Construction Official shall be in conformance with the Township Salary Ordinance.

**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) Dennis Gibson.
- (2) New Jersey Department of Community Affairs.
- (3) Township Chief Financial Officer.
- (4) Township Business Administrator.

**Moved to adopt Resolution 20-97:** Moved C/Ferro, Second C/Kuczinski  
No Committee Discussion.

**ROLL CALL VOTE:**

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

**OLD BUSINESS:**

Business Administrator updates the Township Committee regarding the intersections at Stagecoach/Stillhouse and Sweetmans/Stillhouse. The County wants more detail as to the incidents that have occurred at these two intersections. Louise San Nicola reported on these intersections and will forward to the Business Administrator the incidents that have occurred.

**COMMENTS FROM THE DAIS: NONE**

**PRIVILEGE OF THE FLOOR:**

Mayor Masci opens the meeting to the public at 8:40 p.m.

No public comment.

Mayor Masci closes the meeting to the public at 8:40 p.m.

M/Masci closes the meeting to the public at 8:40 p.m.

**Motion to adjourn meeting:** Moved DM/Grbelja, Second C/Ferro. All in Favor.

Time Out: 8:40 p.m.

Audio of the meeting is available in the Municipal Clerks Office.

February 19, 2020 minutes approved at a Township Committee meeting held on March 4, 2020.

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Kathleen Hart, RMC  
Municipal Clerk