

March 18, 2009

**TOWNSHIP OF MILLSTONE**

**MARCH 18, 2009**

**Mayor Grbelja calls the meeting to order at 7:10P.M.**

**ROLL CALL:** Mayor Nancy Grbelja – present, Committeeman Abilheira – present, Committeeman Kinsey – present, Committeeman Kuczinski – present, Committeeman Masci – present. Also in attendance – Attorney – Duane Davison, Administrator - James Pickering 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 17, 2008.**

**RESOLUTION 09-73 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/Masci.

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:

**1. 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/Abilheira, C/Kinsey, C/Kuczinski, C/Masci, M/Grbelja

NAYS: None

ABSTAINED: None

ABSENT: None

Executive session began 7:18p.m

Motion to adjourn Executive Session moved C/Kuczinski, Seconded C/Kinsey. ©

Time Out 7:43pm.

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**MAYOR GRBELJA CALLS THE REGULAR MEETING TO ORDER AT 8:00 P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.**

**Sgt. Gregg Herbert** of the New Jersey State Police, Hamilton is in attendance this evening to answer concerns either the committee has or the residents of the township. The crime logs indicate that between February and March there were 10 residential burglaries, 3 were unlocked doors, 3 were thefts and one of those thefts was a pocketbook at McDonalds. If residents see suspicious vehicles they should call the Hamilton Station and not 911. If you're going on vacation you should call the station and let them know so they could do drive by's, also do not let your mail build up either have a neighbor pick it up or ask the Post Office to hold it till you get back. On February 20, 2009 two search warrants were issued in town one on Windsor Road the other on Route 537, the outcome was 8 persons were arrested for prostitution. The persons arrested were undocumented and immigration was involved. This past week our detectives were on America's Most Wanted regarding the little girl's body that was found in Upper Freehold. C/Kinsey asks about a rash of burglaries he was questioned about – again Sgt. Herbert states that burglary numbers are down and if you see something jot down a license plate number, do not approach any cars and call the Hamilton Station.

**PUBLIC HEARING: Board of Fire Commissioners District #1 Budget**

**RESOLUTION**

**09-74 Resolution setting the 2009 Fire District Budget of the Millstone Township Fire District No. 1.**

Mayor Grbelja opens the public hearing at 8:10pm

No Public Comment.

Mayor Grbelja closes the public hearing at 8:10pm

**Dave Markunas** again thanks the committee for having the Board of Fire Commissioners to tonight's meeting. We have put a lot of time with C/Kuczinski, C/Kinsey and Jim Pickering going over this budget, we have had very thoughtful discussions. C/Kuczinski states you supplied us with more than what was needed, we looked over this is a sound budget however we have a responsibility to the residents of the township. He believe that if the residents where more aware of the budget more would have supported it. The capital projects area is the only place I can see making any cuts. C/Kinsey states the turnout is never as large as the general Election especially during a Presidential or Gubernatorial election. The residents who came out need to be heard. We have had very sound conversations over the past week and there could be some room for improvement such as insurance needs and cash management needs. Working closely with this group there is more transparency which made reviewing the budget much easier and is appreciated. A long term approach is needed. On the Capital side there are projects such as the roof, security doors and painting that need to be done some of the other projects should be done on as needed basis. So we can make cuts on the Capital side of the budget and capital spending roll backs. There is not a whole lot of places to make cuts without risk to the town and the residents. Dave Markunas states he appreciates your thoughts and that you recognize where the Fire Department is at. We want the public to be aware of what the Fire Department is doing, we are first responders. We continue to do more with less. There are a number of challenges, equipment that needs to be replaced. These are not wish list items they are in compliance and all current equipment requirements, it's a difficult balancing act. We now get out information to the

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residents through the PEG Channel. A Saturday election in the middle of the afternoon – it’s hard to get people out to vote. The more we work together the more we can get information to the residents. C/Kuczinski states its mandatory - minimum of 4 firefighter have to go out on calls and 5 firefighters is recommended, things happen people get sick, not even the people who voted down the budget would want to put anyone in danger. Dave Markunas states here’s what we are doing and how we are doing it – we are very open to the public. On the night of the storm, volunteers slept on the floors in case of any emergencies, they left their families, slept on the floor – that’s dedication – they need funding to do their job. Our career firefighters and volunteer’s are dedicated; we’re deferred maintenance on the fire house for the past 5 years we attempt to put in the budget each year and it’s the first item we take out. C/Masci states not too long ago I was sitting on that side of the table, this is new to me, you’ve spoken a lot of what needs to be done and as a resident I never had exposure to the budget, how lean the budget is and doing more with less. Getting the word out, open public forums, educate the residents on the numbers. The pancake breakfast this Sunday will be a great time to do a hand out and inform the residents. C/Kinsey also states that shared services may be a way to go, the Fire Commissioners may want to look into an inter-local agreement with the Board of Education, they do our cleaning and maintenance and small repairs with a great savings maybe even some pro bono work by local vendors.

Motion to adopt, Moved C/Kinsey, Second C/Kuczinski.

Committee Discussion:

VOTE:

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

NAYS: C/Abilheira

ABSTAINED: None

ABSENT: None

**CORRESPONDENCE:**

1. Letter received from the Monmouth County Mosquito Extermination Commission requesting approval of their aerial surveillance and treatment program.

**ORDINANCES**

**ORDINANCE 09-05**

**SECOND READING** AN ORDINANCE REPEALING CHAPTER III (POLICE REGULATIONS), SECTION 3-9 (PEACE AND GOOD ORDER) AND ESTABLISHING A NEW SECTION 3-9 (PEACE AND GOOD ORDER) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.

**EXPLANATORY STATEMENT:** This Ordinance repeals existing Chapter III (Police Regulations), Section 3-9 Peace and Good Order and replaces it with a new Section 3-9 Peace and Good Order.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 9:05 p.m.

No Public Comment.

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Mayor Grbelja closes the public hearing at 9:05 p.m.

Motion to adopt on second reading, Moved C/Kinsey, Second C/Masci.  
Committee Discussion: None

VOTE:

AYES: C/Kinsey, C/Kuczinski, C/Masci, C/Abilheira, M/Grbelja

NAYS: None

ABSTAINED: None

ABSENT: None

**ORDINANCE 09-06**

**FIRST READING** AN ORDINANCE AMENDING CHAPTER V,( FEES), SECTION 5-14. (FEES FOR CHAPTER XIV: BUILDING AND HOUSING), SUBSECTION 14-1.3 (BUILDING SUBCODE FEE), OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.

**EXPLANATORY STATEMENT:** This Ordinance amends certain State Uniform Construction Code fees.

Motion to adopt on first reading and authorize publication of same,  
Moved C/Kuczinski, Second M/Grbelja.

Committee Discussion: None

VOTE:

AYES: C/Kuczinski, C/Masci, C/Abilheira, C/Kinsey, M/Grbelja

NAYS: None

ABSTAINED: None

ABSENT: None

Second reading and Public Hearing to be held on April 15, 2009 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

**ORDINANCE 09-07**

**FIRST READING** ORDINANCE AMENDING CHAPTER V, (FEES), BY CREATING SECTION 5-28 (FEES FOR CHAPTER XXVIII: FARMER'S MARKET) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

**EXPLANATORY STATEMENT:** This Ordinance hereby creates the vendor fee for the Millstone farmer's market.

Motion to adopt on first reading and authorize publication of same,  
Moved C/Kuczinski, Second C/Masci.

Committee Discussion: None

VOTE:

AYES: C/Masci, C/Abilheira, C/Kinsey, C/Kuczinski, M/Grbelja

NAYS: None

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ABSTAINED: None  
ABSENT: None

Second reading and Public Hearing to be held on April 15, 2009 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

**ORDINANCE 09-08**

**FIRST READING** AN ORDINANCE AMENDING CHAPTER IX (ANIMAL CONTROL), SECTION 9-2 (KENNELS, PET SHOPS AND POUNDS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

**EXPLANATORY STATEMENT:** This Ordinance amendment expands the definition of kennel and also requires that no license for a kennel, pet shop, shelter or pound shall be granted to any person or any person's immediate family member that has a conviction of any crime or offense as set forth in N.J.S. 4:22 et seq. This Ordinance further increases the penalties for violation of this Section.

Motion to adopt on first reading and authorize publication of same,  
Moved C/Kinsey, Second C/Kuczinski.

Committee Discussion: M/Grbelja states that this ordinance has to do with breeding dogs in home, there have been some puppies sold that are sick and this ordinance will give a better enforcement power.

VOTE:

AYES: C/Kinsey, C/Kuczinski, C/Masci, M/Grbelja  
NAYS: C/Abilheira  
ABSTAINED: None  
ABSENT: None

Second reading and Public Hearing to be held on April 15, 2009 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

**ORDINANCE 09-09**

**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 adds a fee for before and after care for the summer recreation program and a fee for summer recreation t-shirts.

Motion to adopt on first reading and authorize publication of same,  
Moved C/Kinsey, Second C/Masci.

Committee Discussion: None

VOTE:

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AYES: C/Abilheira, C/Kinsey, C/Kuczinski, C/Masci, M/Grbelja  
NAYS: None  
ABSTAINED: None  
ABSENT: None

Second reading and Public Hearing to be held on April 15, 2009 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.**

- 09-74 Payment of vouchers.
- 09-75 Resolution to apply for and accept N.P. Balanced housing Funds.
- 09-76 Resolution to satisfy COAH Checklist Item N.J.A.C. 5:96-3.2.
- 09-77 Resolution to apply for Project Grants under the Flood Migration Assistance Program.
- 09-78 Resolution to adopt temporary emergency appropriations #4.

Motion to adopt, Moved C/Kinsey, Second C/Kuczinski.

Committee Discussion: None

VOTE:

AYES: C/Kinsey, C/Kuczinski, C/Masci, C/Abilheira (09-78 & 09-80), M/Grbelja  
NAYS: C/Abilheira (09-75, 09-76, 09-77 and 09-79)  
ABSTAINED: None  
ABSENT: None

**REPORTS FROM VARIOUS DEPARTMENTS FOR FEBRUARY 2009:**

Tax Collector	\$370,373.21
2008 Annual Report	
Clerks report	\$ 577.00
Dog License	\$ 1,173.60
Recreation	\$ 17,875.00
Building Department	\$ 12,216.00
COAH	\$ 0.00
Municipal Court	\$ 30,769.50
2009 Interest Revenue	\$

Finance: Report of Bond Anticipation Note sale's.

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

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**TOWNSHIP COMMITTEE MINUTES:**

1. Executive Session December 3, 2008.
2. Executive Session December 17, 2008.
3. Executive Session Minutes January 21, 2009.
4. Regular Session Minutes February 18, 2009.
5. Regular Session Minutes March 4, 2009.

Motion to adopt, Moved C/Masci, Second C/Kinsey.

Committee Discussion: None

VOTE:

AYES: C/Kinsey, C/Kuczinski, C/Masci (1/21, 2/18 & 3/4), M/Grbelja

NAYS: C/Abilheira (12/3, 12/17, 1/21 & 2/18)

ABSTAINED: C/Masci (12/3 & 12/17), C/Abilheira (3/4)

ABSENT: None

**APPLICATION FOR RAFFLE LICENSE:**

1. Millstone Township Woman's Organization – April 1, 2009, 9:00am-11:30am, 50/50 Raffle at the Millstone Township Middle School.

Motion to approve: C/Abilheira, Second C/Kuczinski. ©

**PRIVILEGE OF THE FLOOR:**

Mayor Grbelja opens the meeting to the public at 9:15 p.m.

1. Neil Schloss – Robbins Road – Asks about AMT - and states that real estate taxes are not going to be a deduction in the future so why can't we pay the schools, fire departments, police as a charity. C/Kuczinski states the township can not be put in that position taxes are collected as per State and Federal Statute.
2. William Somers – Arrowhead Way – Asks about the COAH sub-committee meeting.

Mayor Grbelja closes the meeting to the public at 9:27 p.m.

Motion to adjourn, Moved C/Kinsey, Second C/Kuczinski. © Time Out 9:27 p.m.

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