

April 15, 2009

**TOWNSHIP OF MILLSTONE**

**APRIL 15, 2009**

**Mayor Grbelja calls the meeting to order at 7:36P.M.**

**ROLL CALL:** Mayor Nancy Grbelja – present, Committeeman Abilheira – present, Committeeman Kinsey – present, Committeeman Kuczinski – present, Committeeman Masci – present. Also in attendance – Attorney – Simon Kaufman, Administrator - James Pickering, Municipal Clerk – Maria Dellasala and DPW Superintendent -Ken Gann..

**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 09-87 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
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 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 7:02p.m

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

Time Out 7:56pm.

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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.**

**CORRESPONDENCE:**

1. Letter received from State of New Jersey, Department of Environmental Protection advising Millstone Township will be receiving the Garden State Preservation Trust – Green Acres matching Grant in the amount of \$500,000.

**ENGINEER'S REPORT:**

1. **Abate Park Improvements – Phase II**  
The building, electrical and plumbing work are complete.  
Final grading and restoration work is in progress.
2. **Baird Road Improvements from Millstone Road to Stillhouse Road (TTF FY 2008)**  
Construction is complete. NJDOT has approved the work.  
Project is being closed out.
3. **2008 Roadway Improvement Program**  
Concrete work at Rocky Brook parking lot is complete.  
Paving is scheduled for late April.
4. **Conover Road Improvements**  
This project was submitted to the County for possible federal stimulus funding. This project will also be submitted to NJDOT for 2010 Transportation Trust Fund Grant.
5. **Monmouth County Projects**  
Route 527/Rte 1 Intersection Improvements Woodville Road/Sweetmans Lane:  
We have received final construction plans for roadway widening and intersection signalization from the County of Monmouth. Due to some utility issues, bids were received on February 24, 2009 and construction has commenced.

**ORDINANCES**

**ORDINANCE 09-06**

**SECOND 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.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:13 p.m.

No public Comment.

Mayor Grbelja closes the public hearing at 8:13 p.m.

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Motion to adopt on second reading, Moved C/Masci, Second C/Kuczinski.

Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAINED: None

ABSENT: None

**ORDINANCE 09-07**

**SECOND 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.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:14 p.m.

No public Comment.

Mayor Grbelja closes the public hearing at 8:14 p.m.

Motion to adopt on second reading, Moved C/Kinsey, Second C/Abilheira.

Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAINED: None

ABSENT: None

**ORDINANCE 09-08**

**SECOND 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.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:15 p.m.

No public Comment.

Mayor Grbelja closes the public hearing at 8:15 p.m.

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Motion to adopt on second reading, Moved C/Masci, Second C/Kuczinski.

Committee Discussion: None

VOTE:

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

NAYS: C/Abilheira

ABSTAINED: None

ABSENT: None

**ORDINANCE 09-09**

**SECOND 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.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:16 p.m.

No public Comment.

Mayor Grbelja closes the public hearing at 8:16 p.m.

Motion to adopt on second reading, Moved C/Kinsey, Second C/Kuczinski.

Committee Discussion: None

VOTE:

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

NAYS: None

ABSTAINED: None

ABSENT: None

**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.**

**09-88** Payment of vouchers.

09-89 Resolution authorizing release of Engineering Inspection Escrow Funds and Waiving Maintenance Guarantee requirement for Millstone Pub, Inc. Site Plan No. P91-02, Block 56, Lot 9.

09-90 Resolution to adopt temporary emergency appropriations #6.

09-91 Resolution authorizing the reduction of Performance Guarantees of Horzepa Farm, Site Plan No. P-05-26, Block 42, Lot 2.

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

Committee Discussion: None

VOTE:

VOTE:

AYES: C/Abilheira(09-89 & 09-91), C/Kinsey, C/Kuczinski, C/Masci,  
M/Grbelja

NAYS: C/Abilheira (09-88 & 09-90)

ABSTAINED: None

ABSENT: None

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

Tax Collector	\$ 475,072.91
Clerks report	\$ 435.27
Dog License	\$ 540.60
Recreation	\$ 34,755.00
Building Department	\$ 34,033.00
COAH	\$ 36,292.00
Municipal Court	\$ 32,887.79
2009 Interest Revenue	\$ 29,782.19

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

**TOWNSHIP COMMITTEE MINUTES:**

1. Regular and Executive Sessions April 1, 2009.

Motion to adopt, Moved C/Kuczinski, Second M/Grbelja.

Committee Discussion: None

VOTE:

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

NAYS: C/Abilheira

ABSTAINED: None

ABSENT: None

**PRIVILEGE OF THE FLOOR:**

Mayor Grbelja opens the meeting to the public at 8:19 p.m.

1. Emanuelle Iosue – Carriage Way – States he right across from Abate Park which is turning into a hang out, someone tried to kick in his front door at 1AM, his wife pressed their panic button and the State Police were there in 3 minutes. He owns a restaurant down the Shore area and doesn't get home till somewhere between 12AM-2AM, his wife is now uncomfortable. There are a lot of cars in the park, and there is graffiti, bottles, and condoms in the park - why isn't there a sign with the park hours. The committee discusses the possibility of putting up a fence and Superintendent of Public Works, Ken Gann states he has been trying to get the graffiti removed from the hand ball walls. We also need to make it clear that the

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State Police will bust them.  
Mayor Grbelja closes the meeting to the public at 8:29 p.m.

Motion to adjourn, Moved C/Kinsey, Second C/Masci. © Time Out 8:29 p.m.

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