

TOWNSHIP OF MILLSTONE

JUNE 3, 2009

Mayor Grbelja calls the meeting to order at 7:45P.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, 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.

MAYOR GRBELJA CALLS THE REGULAR MEETING TO ORDER AT 8:06 P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.

CORRESPONDENCE:

1. Letter received from Senator Beck, Assemblyman O'Scanlon and Assemblywoman Casagrande announcing a temporary reprieve concerning S-2577/A-3772.
2. Letter received from a concerned citizen regarding Millstone Rd. and Schoolhouse Rd.

CORRECTIVE MEASURES ARE NEEDED

A hazardous condition exists in Millstone Township that is not being addressed!

About 2 years ago, our school district underwent some changes. Renovations were done to the primary and elementary schools, roads were realigned, and a new middle school was constructed off of Baird Rd.

The location of our primary and elementary schools are in a high traffic area. They are bordered by Millstone Rd. and Schoolhouse Rd. The former being a major corridor through the township. Backbone Hill Rd., which feeds into Schoolhouse Rd. has become increasingly utilized by vehicles in the past few years.

The posted speeds on the roads in mention are rarely observed. To further complicate the situation, the amber flashing "25 MPH" school zone signals, are not properly coordinated or strategically located. That problem has been partially caused by the aforementioned construction changes. The new middle school is totally devoid of such signals! Why haven't any been installed?

Newer signals should be installed. A technology that has been around for sometime, combines flashing amber lights, the posted speed, and a radar display of the oncoming vehicle's speed. Timing of signals is often impaired by the loss of power.

Signage indicating where a vehicle should "STOP", when directed by the Crossing Guard, is not implemented. Why is this important? Vehicles stop at arbitrary distances from egress routes of school busses, causing problems with their "tail swing". There have been several cases where a portion of a bus has come dangerously close to side swiping a stopped vehicle. If the stopped vehicle has other vehicles in back of them, it is very difficult for them to all back up to allow proper space.

The Crossing Guard, on several occasions, has experienced life threatening situations. Although she has proper visual clothing, such as a vest, gloves and other attire, she has had her signals totally ignored by oncoming traffic. She, in addition, has an approved, hand carried "STOP" sign that she displays to oncoming vehicles. One thing that she does *not* have, which should be part of her equipment, is a form of communication with the school busses, the Transportation Dept., and the Dept. of Public works. There are 2-way, hand held radios, with selectable frequencies, that would be well suited for her needs.

In view of the above concerns, what should be addressed and implemented? The following is a list of concerns:

1. Upgrading, augmenting, and the strategic relocation of Flashing School Speed Limit signals. Signals on Schoolhouse Rd. and Millstone Rd. should flash at the same time. The following web site has information on signals. <http://www.alltrafficsolutions.com/radar-speed-display-speedalerts.html>
2. Additional signage indicating safe stopping locations.
3. Providing communications equipment for the Traffic Safety Officer.
4. Increased surveillance and assistance from the State Police regarding the compliance with posted speed limits.

The areas of concern and associated corrective measures must be borne by the combined efforts of the Board of Education, the appropriate departments of the Municipality, i.e., the Township Engineer, the Department of Public Works, and the State Police.

PROCLAMATION'S:

Myasthenia gravis Awareness Month

WHEREAS, *Myasthenia Gravis is a neuromuscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans; and*

WHEREAS, *the symptoms of this disorder include, but are not limited to, difficulty moving, breathing, swallowing, speaking and seeing; and*

WHEREAS, *the Myasthenia Gravis Foundation of America, Inc. is a non-profit organization founded, "to facilitate the timely diagnosis and optimal care of individuals affected by myasthenia gravis and closely related disorders, and to improve their lives through programs of patient services, public information, medical research, professional education, advocacy, and patient care"; and*

WHEREAS, *Myasthenia Gravis is the most common neuromuscular disorder Affecting the residents of New Jersey; and*

WHEREAS, *it is fitting to recognize the many physicians who demonstrate an untiring effort to treat this disease and search for a cure;*

NOW, THEREFORE, I, Nancy Grbelja, Mayor of the Township of Millstone do hereby proclaim,

JUNE 2009

MYASTHENIA GRAVIS AWARENESS MONTH

Proclaimed this the 3rd. day of June 2009.

Millstone Recreation Wrestling Sportsmanship Award

WHEREAS, Millstone Recreation Wrestling Program has been awarded the Sportsmanship Award from the Grapevine League for the 2008-2009 season; and

WHEREAS, this is the only award that the league gives out; and

WHEREAS, the Millstone Recreation Wrestling Program was chosen by the referees from the 37 towns that make up the Grapevine league; and

WHEREAS, this award is awarded to the coaches, children and parents and represents how well respected the Millstone wrestlers, coaches, and parents are throughout the league;

NOW, THEREFORE, I Mayor Nancy A. Grbelja, on behalf of the Township Committee of the Township of Millstone, take pride in commending and recognizing the Millstone Recreation Wrestling Program.

Proclaimed this the 3rd. day of June 2009.

C D B G: Public Hearing ADA Restroom Facility at Lee Farm.

Engineer Matt Shafai states that every two years we can apply for Community Development Block Grant; we are applying for an ADA Restroom Facility at Lee Farm Park. A conceptual Plan is posted on the bulletin board. The ADA Restroom Facility is approximately 1000 sq. feet. Two years ago we applied for restroom facility at Abate Park, that facility is about 250 sq. feet. This facility is a little bigger. The application is due on Friday and the Grant is for \$250,000. 00 we will match 20%.

M/Grbelja opens the meeting to the public at 8:36pm.

No Public Comment.

M/Grbelja closes the meeting to the public at 8:37pm.

09-103 Resolution authorizing the Township of Millstone to apply for a Community Development Block Grant from the County of Monmouth for ADA Restroom Facility at Lee Farm.

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

Committee Discussion: C/Kinsey states as Matt Shafai has indicated we applied in past years for Brandywine Park and Abate Park. Last year we were not eligible. There are different types of district and we can only apply for certain types of projects, we need to be more specific than other towns. That is why we are applying for another ADA Bathroom Facility. This is a good project and will jump start the long term build out of the park.

VOTE:

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

NAYS: None

ABSTAINED: None

ABSENT: None

ORDINANCE'S

ORDINANCE 09-11

SECOND READING ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).

EXPLANATORY STATEMENT: This ordinance authorizes the additional 1% increase over previous year's final appropriations.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:40 p.m.

No public Comment.

Mayor Grbelja closes the public hearing at 8:40 p.m.

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

Committee Discussion: None

VOTE:

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

NAYS: C/Abilheira

ABSTAINED: None

ABSENT: None

ORDINANCE 09-12

FIRST READING AN ORDINANCE REPEALING CHAPTER III (POLICE REGULATIONS), SECTION 3-19 (SEX OFFENDER RESIDENCY PROHIBITION) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.

EXPLANATORY STATEMENT: On May 7, 2009 the N.J. Supreme Court unanimously upheld the July 15, 2008 Appellate Division of the Superior Court ruling that municipalities are not empowered to enact Sex Offender Residency Ordinances because the State of New Jersey has preempted this area of regulation by virtue of the adoption of Megan's Law. Therefore, this Ordinance hereby repeals Chapter III, Administration, Section 3-19, Sex Offender Residency Prohibition.

Motion to adopt on first reading and authorize publication of same,

Moved C/Kuczinski, Second C/Masci.

Committee Discussion: C/Kuczinski states for the record, the bottom line we cannot enforce this ordinance that is why it is being repealed. It would only cause us problems if we attempted to enforce, we would be violating the rights of an individual if we were to try to enforce. We can only enforce through Megan's Law. Duane Davison states that Supreme Court has ruled that municipalities are not empowered to enact Sex Offender Residency Ordinance's, Megan's Law created for such purpose.

VOTE:

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

NAYS: None

ABSTAINED: C/Abilheira, M/Grbelja

ABSENT: None

Second reading and Public Hearing to be held on July 1, 2009 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

RESOLUTION:

2009 MUNICIPAL BUDGET: (09-93)

Public Hearing on the 2009 Municipal Budget.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:49p.m.

No Public Comment.

Mayor Grbelja closes the public hearing at 8:49p.m.

09-93 Resolution adopting 2009 Municipal Budget

C/Kinsey states we are adopting our 2009 budget tonight. Every third year the State reviews the budget prior to adoption, and today Annette Murphy received written confirmation that the Division of Local Government Services approves the Township of Millstones' CY 2009 Municipal Budget for adoption. Therefore we are able to move forward and set a tax rate. The budget that was presented at the May 6, 2009 meeting is the budget we are adopting tonight, overall there is a reduction by 4.3%, and the municipal rate is steady at .098 cents. The only employees who received raises this year were the union employees. The union employees are in the third year of a three year contract. No other questions have been brought to our attention since the last meeting so the budget we are adopting is the same as presented at the May 6, 2009 meeting. Auditor Bill Antonides echo's C/Kinsey remarks and states that the process the state is of a more technical approach, they technically exam line items and compare with financial statements that have been prepared. M/Grbelja thanks Annette Murphy and states she did a great job.

C/Abilheira motions to cut 1cent from the budget, however there is no second.

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

Committee Discussion: C/Abilheira feels the budget should be reduced by \$100,000.00, however the majority rules. C/Kinsey states everybody is entitled to their opinion however he received calls at his home from residents and has also met with many residents during the past few weeks who have questions this 280% increase. M/Grbelja states she relies on C/Kinsey and C/Kuczinski when it comes to finances, since that's their expertise. Since 2000 the budget has increase \$200,000 which includes our road programs, Abate Park, Brandywine Park, renovations to the Community Center, Municipal Building and the Department of Public Works, if we could do all of that for \$200,000 over 8 years, I think we're doing pretty good.

C/Kinsey states there being no public comment

VOTE:

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

NAYS: C/Abilheira

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.

09-104 Payment of vouchers.

09-105 Resolution authorizing change order no. 1 Re: Improvements to Baird Road from Millstone Road to Stillhouse Road.

09-106 Resolution authorizing the renewal of Alcohol Beverage 2009/2010 License for Domal Restaurant Corp., T/A Tommy's Inn at Millstone. License No. 1332-33-003-010.

09-107 Resolution authorizing the renewal of Alcohol beverage 2009/2010 License for ELKS No. 2613, License No. 1332-31-005-001.

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

Committee Discussion: None

VOTE:

AYES: C/Masci, C/Abilheira, 09-105,106,107 C/Kinsey, C/Kuczinski, M/Grbelja

NAYS: C/Abilheira 09-104

ABSTAINED: None

ABSENT: None

REPORTS FROM VARIOUS DEPARTMENTS FOR APRIL 2009:

Tax Collector	\$2,260,562.24
Tax Sale 2009	\$ 426,753.82

Clerks report	\$	488.35
Dog License	\$	625.40
Recreation	\$	54,207.00
Building Department	\$	28,177.00
COAH	\$	22,937.00
Municipal Court	\$	26,791.25
2009 Interest Revenue	\$	25,447.87

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

TOWNSHIP COMMITTEE MINUTES:

1. Budget Meeting April 22, 2009
2. Regular Session May 6, 2009.

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

Committee Discussion:

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 9:02 p.m.

1. Brian Lourenco - Arrowhead Way – Congratulates Nancy Grbelja & Gary Dorfman on their Primary win and states that everyone worked hard on their campaigns. He states by the turnout numbers the residents of Millstone do care and states that C/Kinsey and C/Kuczinski have done a great job with creative banking and states he is 1005 behind you all.
2. Steve Lambros – Van Hise Drive – Commends the committee on the budget and its presentation. He states in the past and he has been coming here for 10 – 12 years the budget was not always presented to the people as you have done. Congratulations to Nancy Grbelja and Gary Dorfman on their Primary win.
3. Dave Bergeron - Backbone Hill Road – States he is the person that sent the letter regarding citizens concerns on Millstone Road & Schoolhouse Road. Mr. Bergeron also states that he works for the Millstone Scholl Bus Transportation but is here tonight on his own and would like his letter to be added to the record. C/Kuczinski states we will be reaching out to Tom Foley and Maryann Donahue. M/Grbelja states that we will be in touch with the Board of Education to resolve these problems.
4. C/Abilheira congratulates Scott De'Monte and Mike Campion for the effort they put thought in the Primary. Kudos to M/Grbelja and Gary Dorfman for getting their message out.

Mayor Grbelja closes the meeting to the public at 9:11 p.m.

Motion to adjourn, Moved C/Kinsey, Second C/Kuczinski. © Time Out: 9:12p.m.

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