RESOLUTION NO. 19-172 ADOPTION DATE: 08-07-19

RESOLUTION AUTHORIZING THE EXECUTION OF AN EXTENSION OF EXPIRING CONTROLS AGREEMENT

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

BE IT RESOLVED by the Township Committee of the Township of Millstone that the attached Extension of Expiring Controls Agreement between the Township of Millstone and Edward L. Pullins and Elizabeth L. Pullins is hereby approved and the Mayor and Deputy Township Clerk are hereby authorized to execute said Agreement.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Deputy Township Clerk to be a true copy be forwarded to the Township Attorney.

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Dorfman, 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 August 7, 2019.

KATHLEEN HART, RMC Deputy Township Clerk

RESOLUTION NO. 19-173

SCHEDULE 19-08 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO THE TOWNSHIP COMMITTEE AT A MEETING HELD ON August 7, 2019

SEE SCHEDULE 19-08 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 19-08 attached.

Fiore Masci, Mayor

Nancy Grbelja, Deputy Mayor

Gary Dorfman, Committeeman

Albert Ferro, Committeeman

Michael Kuczinski, Committeeman

Attest:

TOWNSHIP OF MILLSTONE RESOLUTION NO. 19-173

August 7, 2019

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 19-08, August 7, 2019, Consolidated Bill List, and the vouchers listed below as Schedule 19-08 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:	\$ 8	3,961,250.60
SCHEDULE 19-08 S		
PAYROLL FUND		
TOTAL PAYROLL TRUST FUND	\$	9,546.26
GENERAL CAPITAL FUND		
TOTAL GENERAL CAPITAL FUND	\$	12,594.36
GRANT FUND		
TOTAL GRANT FUND	\$	23,150.88
RESERVE TRUST FUND		
TOTAL RESERVE TRUST FUND	\$	538.89
BASIN MAINTENANCE TRUST		
TOTAL BASIN MAINTENANCE TRUST	\$	228.04
SHADE TREE TRUST		
TOTAL SHADE TREE TRUST	\$	0.00
COAH TRUST FUND		
TOTAL COAH TRUST FUND	\$	6,195.00
OPEN SPACE FARMLAND TRUST FUND		
TOTAL OPEN SPACE FARMLAND TRUST FUND	\$	11,792.50

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	\$	57,122.39		
ANIMAL CONTROL TRUST FUND				
TOTAL DOG TRUST FUND	\$	519.18		
TOTAL FOR ALL FUNDS	<u>\$ </u>	9,082,938.10		
ESCROW				
DEVELOPERS ESCROW ACCOUNT UNDER \$5,000	2			
TOTAL DEVELOPERS ESCROW UNDER \$5,000	\$	2,726.60		
DEVELOPERS ESCROW ACCOUNT OVER \$5,000				
TOTAL DEVELOPERS ESCROW OVER \$5,000	<u>\$</u>	2,672.50		
TOTAL FOR ESCROW	<u>\$</u>	<u>5,399.10</u>		
RESOLUTION WAS OFFERED BY COMMITTEEPERSON KUCZINSKI AND MOVED ITS ADOPTION; MOTION WAS SECOND BY COMMITTEEPERSON FERRO RESOLUTION WAS ADOPTED ON THE FOLLOWING ROLL CALL VOT AYES: C/Kuczinski, C/Ferro, DM/Grbelja NAYS: None	ΓES:			

- ABSTAIN: None
- ABSENT: C/Dorfman, M/Masci

RESOLUTION NO. 19-174 MEETING DATE: 08-07-19

RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT FOR MOTOR VEHICLE MAINTENANCE AND REPAIRS WITH MANALAPAN

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

WHEREAS, Millstone Township is in need of making provision for motor vehicle maintenance and repairs; and

WHEREAS, Manalapan Township has the personnel and facilities to meet that need; and

WHEREAS, Manalapan Township and Millstone Township have agreed to enter into a Shared Services Agreement pursuant to <u>N.J.S.A.</u> 40A:65-1 <u>et. seq.</u>; and

WHEREAS, the form of Agreement to be entered into is on file in the Municipal Clerk's office and may be inspected by members of the public during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Mayor and Deputy Municipal Clerk are hereby authorized to execute a Shared Services Agreement for motor vehicle maintenance and repairs with the Township of Manalapan for a period of one year from July 10, 2019 and shall automatically renew for additional terms for one (1) year for a maximum of three (3) years.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Deputy Municipal Clerk to be a true copy be forwarded to Tara L. Lovrich, Manalapan Township Administrator, Annette Murphy, Millstone Township Chief Financial Officer and to the New Jersey Department of Community Affairs, Division of Local Government Services.

ROLL CALL:

AYES:C/Kuczinski, C/Ferro, DM/GrbeljaNAYS:NoneABSTAIN:NoneABSENT:C/Dorfman, 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 August 7, 2019.

RESOLUTION NO. 19-175 MEETING DATE: 08-07-19

RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR "IMPROVEMENTS TO NURKO ROAD FROM BOROUGH OF ROOSEVELT TO IMLAYSTOWN ROAD (TOWNSHIP OF EAST WINDSOR)"

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

WHEREAS, The Township of Millstone wishes to apply to the New Jersey Department of Transportation requesting funding under the Transportation Trust Fund Authority Act for a priority 1 application entitled "Improvements to Nurko Road from Borough of Roosevelt to Imlaystown Road (Township of East Windsor)"; and

WHEREAS, the total construction estimate for these improvements is \$575,000 and \$300,000 in State funds are anticipated, and the Township of Millstone will contribute \$275,000 towards the total construction plus administrative and engineering costs; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Deputy Mayor and Deputy Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Nurko Road-00416 to the New Jersey Department of Transportation on behalf of the Township of Millstone.

BE IT FURTHER RESOLVED that the Deputy Mayor and Deputy Municipal Clerk are hereby authorized to sign a grant agreement on behalf of the Township of Millstone and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ROLL CALL:

AYES:C/Kuczinski, C/Ferro, DM/GrbeljaNAYS:NoneABSTAIN:NoneABSENT:C/Dorfman, M/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its regular meet of August 7, 2019.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions to the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Nancy Grbelja Deputy Mayor

RESOLUTION NO. 19-176 MEETING DATE: 08-07-19

RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR "IMPROVEMENTS TO MILLSTONE ROAD FROM NJ STATE HIGHWAY ROUTE 33 TO 1,000 FEET SOUTH OF PERRINEVILLE ROAD COUNTY ROUTE 1"

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

WHEREAS, The Township of Millstone wishes to apply to the New Jersey Department of Transportation requesting funding under the Transportation Trust Fund Authority Act for a priority 2 application entitled "Improvements to Millstone Road from New Jersey Highway Route 33 to 1,000 feet south of Perrineville Road County Route 1"; and

WHEREAS, the total construction estimate for these improvements is \$562,500 and \$300,000 in State funds are anticipated, and the Township of Millstone will contribute \$262,500 towards the total construction plus administrative and engineering costs; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Deputy Mayor and Deputy Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Improvements to Sections of Millston–00420 to the New Jersey Department of Transportation on behalf of the Township of Millstone.

BE IT FURTHER RESOLVED that the Deputy Mayor and Deputy Municipal Clerk are hereby authorized to sign a grant agreement on behalf of the Township of Millstone and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ROLL CALL:

AYES:C/Kuczinski, C/Ferro, DM/GrbeljaNAYS:NoneABSTAIN:NoneABSENT:C/Dorfman, M/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its regular meet of August 7, 2019.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions to the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Kathleen Hart, RMC Deputy Municipal Clerk

Nancy Grbelja Deputy Mayor

RESOLUTION NO. 19-177 MEETING DATE: 08-07-19

RESOLUTION AUTHORIZING THE EXTENSION OF A ONE TIME GRACE PERIOD FOR THE PAYMENT OF THIRD QUARTER TAXES - 2019

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

WHEREAS, due to circumstances beyond the control of the Township of Millstone, the property tax bills for the third quarter of 2019 were not mailed to taxpayers within the statutory time constraints: and

WHEREAS, pursuant to N.J.S.A. 54:4-66.3, said taxes are due and payable by August 1, 2019; and

WHEREAS, it is the desire of the Township Committee to extend the previously existing ten day waiver on the accumulation of interest to a twenty five day waiver, will start from the date of mailing for the third quarter, 2019 only

WHEREAS, the Tax Collector recommends that the grace period be extended to August 26, 2019. Payments received after the grace period shall accrue interest from the statutory due date of August 1, 2019 which grace period shall be in lieu of, and, not in addition to, any other applicable grace period; and

WHEREAS, the Township Committee believes the extended grace period is warranted by the delay in receiving the certified municipal budget, state aid figures, preparation, and mailing of tax bills; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of The Township of Millstone in the County of Monmouth, that the grace period for payment of the third quarter taxes 2019 be and is hereby extended this "one time for twenty five (25) days from the date of mailing and provided, however that payments received after the statutory due date of August 1, 2019 which grace period shall be in lieu of, and, not in addition to, another applicable grace period."

BE IT FURTHUR RESOLVED that a copy of this Resolution certified by the Deputy Municipal Clerk to be a true copy be forwarded to the Township Tax Collector and the Chief Financial Officer.

ROLL CALL:

AYES:C/Kuczinski, C/Ferro, DM/GrbeljaNAYS:NoneABSTAIN:NoneABSENT:C/Dorfman, 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 August 7, 2019.

RESOLUTION NO. 19-178 ADOPTION DATE: 08-07-19

RESOLUTION AUTHORIZING CONVEYANCE OF BLOCK 35, LOT 15 (471 STAGECOACH ROAD) TO AFFORDABLE HOUSING ALLIANCE, INC. FOR THE PROVISION OF AFFORDABLE HOUSING

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

WHEREAS, the Township holds fee title to Block 35, Lot 15, 471 Stagecoach Road (the "Property") in the Township; and

WHEREAS, the Property was purchased to be used in the Township's meeting of its Fair Share Affordable Housing obligation ("Fair Share Obligation"); and

WHEREAS, Affordable Housing Alliance Inc. ("AHA") has, in the past, fulfilled a role as a strategic entity constructing and managing successful affordable housing projects assisting the Township in meeting its Fair Share Obligation; and

WHEREAS, AHA has proposed an affordable housing project for the Property, which proposal is reflected in the Township's Fair Share Plan currently pending before the Courts; and

WHEREAS, the Township and AHA have agreed on conditions and restrictions to be set forth in a Contract of Sale and eventually, in a deed of conveyance; and

WHEREAS, <u>N.J.S.A.</u> 52:27D-325 of the "Fair Housing Act" permits the Township to convey property for these purposes pursuant to Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Mayor, Deputy Clerk and Township Attorney are hereby

authorized to execute such documents as are necessary to enter into a Contract of Sale and to

convey the Property to AHA in order to effectuate the purpose of this Resolution.

BE IT FURTHER RESOLVED, that a copy of this Resolution, certified by the

Township Clerk to be a true copy be forwarded to the following:

1. David S. Messer, Esq., Law Office of David S. Messer, Esq., LLC, 1602 Lawrence Avenue, Suite 105, Ocean, New Jersey 07712, attorney for AHA.

2. Michael Steib, Esq., 16 Cherry Tree Farm Road, Middletown, New Jersey 07748, Special Affordable Housing Counsel for the Township.

3. Matt Shafai, Township Engineer.

4. Robert F. Muñoz, Esq., Township Attorney.

ROLL CALL:

AYES:C/Kuczinski, C/FerroNAYS:NoneABSTAIN:NoneABSENT:C/Dorfman, 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 August 7, 2019.

KATHLEEN HART, RMC Deputy Municipal Clerk

RESOLUTION NO.: 19-179 ADOPTION DATE: 08-07-19

RESOLUTION ENDORSING SEWAGE TREATMENT WORKS APPLICATION FOR MILLSTONE CENTER, BLOCK 22, LOT 10.03, 480 HIGHWAY 33 WEST

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

WHEREAS, the Township of Millstone has been requested to endorse a Sewage Treatment Works Application related to an existing commercial retail center, which was constructed in the 1980's; and

WHEREAS, the existing retail center's on-site subsurface sewage treatment system started to indicate signs of failure in 2018 requiring new Monmouth County Board of Health approvals and a permit from the New Jersey Department of Environmental Protection (NJDEP) for the proposed wastewater treatment system; and

WHEREAS, in order to provide for safe and efficient treatment and disposal of up to 2,297 GPD, Millstone Center has designed a wastewater treatment and disposal system as set forth on the engineers plans, dated June 19, 2019, prepared by Crest Engineering Associates, Inc.; and

WHEREAS, the engineer's report and plans for the wastewater treatment and disposal system have been reviewed and approved by the Monmouth County Board of Health and Millstone Township Engineer Matt Shafai, P.E.; and

WHEREAS, as part of its review of the TWA Permit application, NJDEP requires consent by the local municipality or sewage authority.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that it has reviewed the recommendation of the Township Engineer as referenced above, is in agreement therewith and incorporates by reference herein the recommended findings and therefore does hereby endorse the Treatments Work Application referenced herein.

BE IT FURTHER RESOLVED that the Deputy Mayor and Deputy Municipal Clerk are hereby authorized to execute any and all documents necessary to effectuate the intent and purpose of this Resolution.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Deputy Municipal Clerk, to be a true copy to be forwarded to each of the following:

- 1. Township Engineer
- 2. Millstone Center
- 3. Monmouth County Board of Health

ROLL CALL:

AYES:C/Kuczinski, C/Ferro, DM/GrbeljaNAYS:NoneABSTAIN:NoneABSENT:C/Dorfman, 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 August 7, 2019.

RESOLUTION NO. 19-180 ADOPTION DATE: 08-07-19

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR BUDELMAN SUBDIVISION, A/K/A THE SYCAMORES, LLC, SUBDIVISION NO. P05-20, (BLOCK 21, LOTS 7.01 & 7.02)

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

WHEREAS, the Developer for Subdivision No. P05-20, located on Indian Path, has requested a release of its performance guarantees previously posted with the Township of Millstone in accordance with its previously received Planning Board approvals; and

WHEREAS, the Township Engineer has, in a letter dated July 17, 2019 (attached hereto as Exhibit "A") recommended that the following performance guarantees be released:

Performance Bond No. B98809015994, dated May 7, 2007, in the amount of \$37,800.00.

Cash Bond Deposit in the amount of \$4,200.00.

WHEREAS, as a condition of the release the developer must post a Maintenance Bond or cash for a duration of two years, or a Maintenance Letter of Credit for a duration of two and one-half years, in the amount of \$5,250.00; and

WHEREAS, the balance of the Engineering Inspection Fee is to remain on account through the maintenance period.

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

1. It hereby authorizes the release of the performance guarantees set forth in the Township Engineer's letter dated July 17, 2019, subject to the conditions set forth above.

2. The Deputy Township Clerk, Township Treasurer and all other appropriate municipal officials are hereby authorized to execute such documents and to perform such acts as are necessary to effectuate the purpose of this Resolution.

3. Pursuant to the recommendation of the Township Engineer as set forth in the letter referred to above, the Township hereby accepts the public improvements, if any, to be accepted by the Township of Millstone pursuant to the Planning Board approval. **BE IT FURTHER RESOLVED** that a copy of this Resolution, certified by the

Deputy Township Clerk to be a true copy be forwarded to each of the following:

- (a) Township Engineer (b) Township Treasurer
- (c) Developer

(d) Township Attorney

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of August 7, 2019.

> KATHLEEN HART, RMC Deputy Township Clerk

RESOLUTION NO. 19-181 MEETING DATE: 08-07-19

RESOLUTION EXTENDING THE TERM OF ROGER K. STAIB AS ACTING BUSINESS ADMINISTRATOR

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

WHEREAS, on or about February 4, 2019 the Township of Millstone entered into a Consultant Agreement ("Agreement") with Roger K. Staib to serve as the Acting Business Administrator in accordance with Resolution #19-75, adopted on 1/30/19; and

WHEREAS, Resolution 19-129 extended the term to August 1, 2019; and

WHEREAS, the Township of Millstone has entered into a new Consultant Agreement with Roger K. Staib to serve as the Acting Business Administrator through December 31, 2019; and

WHEREAS, this appointment is subject to a Contract to be approved by the Township Committee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that Roger K. Staib is hereby appointed to continue to serve as Acting Business Administrator through December 31, 2019, and subject to a Contract to be approved by the Township Committee.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Deputy Municipal Clerk to be a true copy be forwarded to Roger K. Staib and the Township's Chief Financial Officer.

ROLL CALL:AYES:C/Kuczinski, C/Ferro, DM/GrbeljaNAYS:NoneABSTAIN:NoneABSENT:C/Dorfman, 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 August 7, 2019.

RESOLUTION NO. 19-182 MEETING DATE: 08-07-19

RESOLUTION AUTHORIZING THE CONTINUATION OF A SHARED SERVICES/MUTUAL AID AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND THE TOWNSHIP OF MILLSTONE PERTAINING TO CONFLICT OF INTEREST AND EMERGENCY COVERAGE CONSTRUCTION CODE ENFORCEMENT SERVICES

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

WHEREAS, the Township of Millstone previously entered into a Shared Services/Mutual Aid Agreement with the Township of Jackson to provide for Conflict of Interest and Emergency Coverage Construction Code Enforcement Services which expired on December 31, 2018; and

WHEREAS, Jackson Township has the personnel to meet that need; and

WHEREAS, Jackson Township and Millstone Township have agreed to extend the current Shared Services/Mutual Aid Agreement pursuant to 5:23-4.5(j); and

WHEREAS, the Agreement is on file in the Township Clerk's office and may be inspected by members of the public during regular business hours; and

WHEREAS, the Township of Millstone wishes to extend the Agreement with Jackson Township for the purpose of setting forth the terms and conditions regarding the provisions for Conflict of Interest and Emergency Coverage Construction Code Enforcement Services.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey as follows:

1. The Shared Services Agreement for Conflict of Interest and Emergency Coverage Construction Code Enforcement Services with the Township of Jackson shall be renewed for a period commencing August 7, 2019 through December 31, 2019, however; the parties may agree to extend this Agreement commencing January 1st from year to year (for a 12 month period), on the same terms and conditions.

2. A copy of said Agreement shall be kept on file within the Office of the Township Clerk.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy be forwarded to Terence Wall - Jackson Township Administrator, Barry Olejarz - Construction Code Official Jackson Township, Millstone Township Construction Code Official, Annette Murphy - Millstone Township Chief Financial Officer and to the New Jersey Department of Community Affairs, Division of Local Government Services.

ROLL CALL:

AYES:C/Kuczinski, C/Ferro, DM/GrbeljaNAYS:NoneABSTAIN:NoneABSENT:C/Dorfman, 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 August 7, 2019.