#### RESOLUTION NO. 20-313 MEETING DATE: 10-21-2020

## RESOLUTION AUTHORIZING THE HOLDING OF AN EXECUTIVE SESSION, AT WHICH THE PUBLIC SHALL BE EXCLUDED

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

**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:

- 1. The public shall be excluded for the discussion of any action upon the here in after specified subject matter.
- 2. The general nature of the subject matter to be discussed is as follows:
  - 1. Items Falling Under Attorney/Client Privilege
  - 2. Contracts

It is anticipated at this time that the above stated subject matter will be made public in approximately six months or at such time as any litigation discussed is resolved.

3. This Resolution shall take effect immediately.

#### **ROLL CALL**:

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

NAYS: None ABSTAIN: None ABSENT: None

**I HEREBY CERTIFY** the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on October 21, 2020.

Kathleen Hart, RMC Municipal Clerk

#### RESOLUTION NO. 20-314

#### SCHEDULE 20-10-B S

#### CONSOLIDATED BILL LIST

# TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO THE TOWNSHIP COMMITTEE AT A MEETING HELD ON October 21, 2020

#### SEE SCHEDULE 20-10-B ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 20-10-B attached.

|   | Fiore Masci, Mayor              |
|---|---------------------------------|
|   | Nancy Grbelja, Deputy Mayor     |
|   | ormany consign, a op my many co |
|   | Gary Dorfman, Committeeman      |
|   | Albert Ferro, Committeeman      |
|   | Michael Kuczinski, Committeeman |
|   |                                 |
| Attest:<br>Kathleen Hart<br>Municipal Clerk |                                 |

#### TOWNSHIP OF MILLSTONE RESOLUTION NO. 20-314 October 21, 2020

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 20-10-B, October 21, 2020, Consolidated Bill List, and the vouchers listed below as Schedule 20-10-B 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: 102.053.51 SCHEDULE 20-10-B S **PAYROLL FUND** TOTAL PAYROLL TRUST FUND \$ 4,990.18 **GENERAL CAPITAL FUND** TOTAL GENERAL CAPITAL FUND \$ 8,506.95 **GRANT FUND** \$ TOTAL GRANT FUND 2,420.35 **RESERVE TRUST FUND** \$ TOTAL RESERVE TRUST FUND 0.00 **BASIN MAINTENANCE TRUST** TOTAL BASIN MAINTENANCE TRUST \$ 118.06 SHADE TREE TRUST TOTAL SHADE TREE TRUST \$ 0.00 **COAH TRUST FUND** \$ TOTAL COAH TRUST FUND 708.48 OPEN SPACE FARMLAND TRUST FUND TOTAL OPEN SPACE FARMLAND TRUST FUND 102,752.11 MUNICIPAL DRUG ALLIANCE FUND TOTAL MUNICIPAL DRUG ALLIANCE FUND \$ 2.50

#### **VET MEMORIAL FUND**

TOTAL VET MEMORIAL FUND \$ 0.00

RECREATION TRUST FUND (DEDICATION BY RIDER)

TOTAL RECREATION TRUST FUND \$ 8,175.06

**ANIMAL TRUST FUND** 

TOTAL DOG TRUST FUND \$ 1,963.50

**TOTAL FOR ALL FUNDS \$ 231,690.70** 

**ESCROW** 

**DEVELOPERS ESCROW ACCOUNT UNDER \$5,000** 

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 4,001.25

**DEVELOPERS ESCROW ACCOUNT OVER \$5,000** 

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 6,135.25

TOTAL FOR ESCROW \$ 10,136.50

RESOLUTION WAS OFFERED BY COMMITTEEPERSON GRBELJA AND MOVED ITS ADOPTION; MOTION WAS SECOND BY COMMITTEEPERSON FERRO RESOLUTION WAS ADOPTED ON THE FOLLOWING ROLL CALL VOTES:

AYES: DM/GRBELJA, C/KUCZINSKI, C/DORFMAN, C/FERRO, M/MASCI

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

#### RESOLUTION NO. 20-315 ADOPTION DATE: 10-21-2020

# RESOLUTION AUTHORIZING DEFENSE OF LITIGATION IN THE MATTER OF DAN MURPHY, ET AL V. TOWNSHIP OF MILLSTONE ET AL, AS TO COUNT VIII OF THE COMPLAINT AND PUNITIVE DAMAGES ONLY

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

WHEREAS, Dan Murphy filed a Complaint in the United States District Court of New Jersey, bearing Case No.3:20-CV-10397-MAS-TJB, against the Township of Millstone; and

WHEREAS, the Township Committee is of the opinion that it has certain defenses to the action; and

WHEREAS, the Township is generally represented by a carrier, except as to punitive damages on all Counts, declaratory judgment and the injunctive relief in Count VIII.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Township Attorney is hereby authorized to take any and all action he deems reasonable and necessary to defend the Township as to Count VIII of the Complaint and punitive damages only, execute any and all documents on behalf of the Township and to assert such claims as he deems reasonable and necessary in this action.

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

#### **ROLL CALL:**

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

NAYS: None ABSTAIN: None ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone at its regular meeting held on October 21, 2020.

KATHLEEN HART, RMC Township Clerk

#### RESOLUTION NO. 20-316 ADOPTION DATE: 10-21-2020

### RESOLUTION AUTHORIZING MODIFICATION OF RIVERSIDE MAINTENANCE AGREEMENT

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

WHEREAS, the Township, XXXIII Associates/Riverside Center, LLC (hereinafter referred to as "XXXIII") and Riverside Center Property Owners' Association, Inc. (hereinafter referred to as the "Association") entered into a Drainage, Utilities and Appurtenances Maintenance Agreement dated November 9, 2018 and recorded in the Monmouth County Clerk's Office on December 26, 2018 as Instrument Number 2018122464 in Book OR-9328, Page 2568 ("Agreement"); and

WHEREAS, the Township, XXXIII and Association wish to modify certain terms and conditions of the Agreement relating to the obligations of XXXIII and the Association to maintain and provide general public liability insurance coverage with respect to the sections of Farrington Boulevard and DeBaun Road, both being public roadways, that are located within the Township of Millstone as more specifically described in Exhibit "A" attached hereto; and

WHEREAS, the Township's insurance representatives, engineer and attorney's office have reviewed the proposed modification which is to the benefit of all parties.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized to execute the Modification to the Agreement in substantially the form attached to this Resolution as Exhibit "A".

**BE IT FURTHER RESOLVED** that a copy of the Resolution certified by the Township Clerk to be a true copy be forwarded to the following:

- a. Township Engineer.
- b. Peter Licata, Esq., attorney for XXXIII and the Association.
- c. Sean Kelly, Township's Insurance Consultant.
- d. Edward Cooney, MBA, V.P., Account Executive and Underwriting Manager, Conner, Strong & Buckalew, 9 Campus Drive, Suite 216, Parsippany, New Jersey 07054.
- e. Township Attorney.

**ROLL CALL:** 

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

NAYS: None ABSTAIN: None ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of October 21, 2020.

KATHLEEN HART, RMC Township Clerk

#### **EXHIBIT "A"**

#### **RECORD AND RETURN TO:**

Sonnenblick, Parker & Selvers, PC 3 Monument Street Freehold, New Jersey 07728 Attn: Peter G. Licata, Esq.

# MODIFICATION OF ROAD., DRAINAGE, UTILITIES AND APPURTENANCES MAINTENANCE AGREEMENT

Cross Index to that certain ROAD., DRAINAGE, UTILITIES AND APPURTENANCES MAINTENANCE AGREEMENT dated November 9, 2018 and recorded in the Monmouth County Clerk's Office on December 26, 2018 as Instrument Number 2018122464 in Book OR-9328 Page 2568 (the "Agreement").

This Modification to Road., Drainage, Utilities and Appurtenances Maintenance Agreement (this "Modification") is made effective as of \_\_\_\_\_\_\_, 20\_\_\_\_\_\_ between and among the **TOWNSHIP OF MILLSTONE**, a municipal public body corporate, with principal offices at 470 Stage Coach Road, Millstone Township, New Jersey 08510, (hereinafter referred to as the "Township"); **XXXIII ASSOCIATES/RIVERSIDE CENTER, LLC**, a New Jersey Limited Liability Company, with principal offices at 3499 Route 9 North, Suite 1-E, Freehold, New Jersey 07728, (hereinafter referred to as "XXXIII"); and **RIVERSIDE CENTER PROPERTY OWNERS' ASSOCIATION, INC.**, a New Jersey Non-Profit Corporation, with principal offices at 3499 Route 9 North, Suite 1-E, Freehold, New Jersey 07728, (hereinafter referred to as the "Association").

#### RECITALS:

WHEREAS, the Township, XXXIII and Association wish to modify certain terms and conditions of the Agreement relating to the obligations of XXXIII and the Association to maintain and provide general public liability insurance coverage with respect to the sections of Farrington Boulevard and DeBaun Road, both being public roadways, that are located within the Township of Millstone as more specifically recited below.

NOW THEREFORE, in consideration of the mutual intentions of the parties set forth herein, the parties do hereby agree as follows:

#### 1. <u>MODIFICATION</u>.

The parties have reviewed the Agreement and have determined that existing Paragraph 4 of the Agreement shall hereby be deleted in its entirety and replaced with the following new paragraph:

4. In lieu of XXXIII and the Association obtaining, providing to the Township, and maintaining (as a supplement to the general public liability insurance that the Township maintains on all of the Township's roads) its own general public liability insurance coverage for the roads and their appurtenances, naming the Township as an additional insured; XXXIII and/or the Association shall pay the Township the aggregate sum of Fifty Thousand and 00/100 (\$50,000.00) Dollars in two (2) equal installments of Twenty Five Thousand and 00/100 (\$25,000.00) Dollars each which shall be due and payable to the Township at the execution of this Modification and on June 1, 2021. Said payments shall represent and constitute XXXIII's and the Association's full and aggregate contribution toward the Township's cost of supplementing the Township's own general public liability insurance that the Township maintains on all of the Township's roads in order to cover and include Farrington Boulevard and DeBaun Road in Millstone Township. XXXIII and the Association agree that: (a) any professional designing any changes to Farrington Boulevard and/or DeBaun Road in Millstone Township must name the Township as an additional insured on its professional liability policy; (b) any contractor employed to effect any work or doing any maintenance (including, but not limited to, snow plowing) in Farrington Boulevard and/or DeBaun Road in Millstone Township must maintain liability insurance naming the Township as an added insured, for the period of time that the contract for the work is in effect and the work is being undertaken; (c) with respect to any work that may potentially impact environmentally sensitive areas, such as drainage work within the public right of way, any contractor performing such work must maintain appropriate environmental liability insurance as may reasonably be determined by the Township. The Township, XXXIII, and the Association agree that the types and amounts of liability coverage for the insurance requirements recited above for items (a) and (b) are set forth on the certificate of insurance, or its equivalent, which is attached hereto and made a part hereof by reference as Schedule A.

#### 2. NO OTHER AMENDMENTS.

Except as expressly amended hereby, all other representations, warranties, terms, covenants and conditions of the Agreement shall remain unamended and shall continue to be in full force and effect.

[No further text on this page.]

**IN WITNESS WHEREOF**, the undersigned parties have executed this Modification on the date first above written.

| ATTEST: TOWNSHIP OF MILLS       | TOWNSHIP OF MILLSTONE, a municipal public body corporate                                |  |  |  |  |  |  |
|---------------------------------|---|--|--|--|--|--|--|
| Kathleen Hart, Township Clerk   | By:Fiore Masci, Mayor   |  |  |  |  |  |  |
| WITNESS:                        | XXXIII ASSOCIATES/RIVERSIDE CENTER LLC, a New Jersey limited liability company          |  |  |  |  |  |  |
| Name:                           | By:Eugene Landy, Co-Managing Member   |  |  |  |  |  |  |
| Name:                           | By: Christopher Kaempffer, Co-Managing Member   |  |  |  |  |  |  |
| ATTEST:                         | RIVERSIDE CENTER PROPERTY OWNERS ASSOCIATION, Inc., a New Jersey non-profit corporation |  |  |  |  |  |  |
| Michael M. McCloskey, Secretary | By:Christopher Kaempffer, President   |  |  |  |  |  |  |

| STATE    | OF NEW JERSEY  | :                       |                           |                    |  |  |  |  |
|----------|--|-------------------------|---------------------------|--------------------|--|--|--|--|
|          |  | : SS                    |                           |                    |  |  |  |  |
| COUNT    | COUNTY OF MONMOUTH:  |                         |                           |                    |  |  |  |  |
|          |  |                         |                           |                    |  |  |  |  |
| 10       | CERTIFY that on this   | s day of                | , 20                      | , Kathleen Hart    |  |  |  |  |
|          |  | d acknowledged under    |                           |                    |  |  |  |  |
| (a       | ) Fiore Masci sig  | gned, sealed and delive | red the attached docur    | ment as Mayor of   |  |  |  |  |
|          |  | nship, the public corp  |                           |                    |  |  |  |  |
| (b       | (b) this document was signed and made by the public corporation as its voluntary act |                         |                           |                    |  |  |  |  |
|          | and deed by virtue of authority by the proper resolution of the Township             |                         |                           |                    |  |  |  |  |
|          | Committee of t   | he said Township,       |                           |                    |  |  |  |  |
| Sworn to | and subscribed   |                         |                           |                    |  |  |  |  |
| before m | e, the date aforesaid.   |                         |                           |                    |  |  |  |  |
|          |  |                         |                           |                    |  |  |  |  |
| NOTAR    | Y PUBLIC   |                         | <br>Kathleen Hart, Millst | one Township Clerk |  |  |  |  |
|          | 1 1 2 2 2 2 1 2  |                         |                           | one romain croik   |  |  |  |  |

| STATE OF NE  |   |  |  |  |  |  |  |  |  |
|--|---|--|--|--|--|--|--|--|--|
| : SS<br>COUNTY OF MONMOUTH:  |   |  |  |  |  |  |  |  |  |
| I CERTIF<br><b>Kaempffer</b> persent that:   | FY that on this day of, 20, Christopher conally came before me and acknowledged under oath, to my satisfaction, the is a duly authorized Co-Managing Member of XXXIII   |  |  |  |  |  |  |  |  |
| A  | ASSOCIATES/RIVERSIDE CENTER, LLC, a New Jersey limited liability company, said limited liability company executing this instrument; and   |  |  |  |  |  |  |  |  |
| (b) he signed, sealed and delivered this document as the voluntarily and duly authorized act and deed of said limited liability company. |   |  |  |  |  |  |  |  |  |
|  |   |  |  |  |  |  |  |  |  |
|  | NOTARY PUBLIC   |  |  |  |  |  |  |  |  |
| STATE OF NE  | W JERSEY :<br>: SS  |  |  |  |  |  |  |  |  |
| COUNTY OF M  |   |  |  |  |  |  |  |  |  |
| personally came<br>(c) (a<br>A   | FY that on this day of, 20, Eugene Landy before me and acknowledged under oath, to my satisfaction, that:  ) he is a duly authorized Co-Managing Member of XXXIII SSOCIATES/RIVERSIDE CENTER, LLC, a New Jersey limited liability ompany, said limited liability company executing this instrument; and |  |  |  |  |  |  |  |  |
| (d) he   | e signed, sealed and delivered this document as the voluntarily and duly athorized act and deed of the limited liability company.   |  |  |  |  |  |  |  |  |
|  | NOTARY PUBLIC   |  |  |  |  |  |  |  |  |

| STATE OF 1    | NEW JERSEY :   |                            |                  |                    |  |  |  |  |
|---------------|--|----------------------------|------------------|--------------------|--|--|--|--|
|               | : SS   | 3                          |                  |                    |  |  |  |  |
| COUNTY O      | F MONMOUTH:  |                            |                  |                    |  |  |  |  |
|               |  |                            |                  |                    |  |  |  |  |
| I CER         | TIFY that on this  | day of                     | , 20             | Michael M.         |  |  |  |  |
|               |  | ore me and acknowledged i  |                  |                    |  |  |  |  |
| (c)           | Christopher Kaem   | pffer signed, sealed and d | elivered the att | ached document as  |  |  |  |  |
|               | President of RIVER   | SIDE CENTER PROPER         | RTY OWNER        | S'                 |  |  |  |  |
|               | ASSOCIATION, I   | nc., a New Jersey non-pro  | ofit corporation | n, the corporation |  |  |  |  |
|               | named in this docu   | ment; and                  |                  |                    |  |  |  |  |
| (d)           |  | signed and made by said c  |                  |                    |  |  |  |  |
|               | deed by virtue of authority by the proper resolution of the board of trustees of |                            |                  |                    |  |  |  |  |
|               | said corporation.  |                            |                  |                    |  |  |  |  |
| ~             |  |                            |                  |                    |  |  |  |  |
| Sworn to and  |  |                            |                  |                    |  |  |  |  |
| before me, th | e date aforesaid.  |                            |                  |                    |  |  |  |  |
|               |  |                            |                  |                    |  |  |  |  |
| NOTARY PU     | UBLIC  | Michael                    | l M. McCloske    | ey, Secretary      |  |  |  |  |



#### CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED RESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

In. JRTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| PRODUCER  |  |                | CONTACT NAME: PHONE FAX  |   |   |                    |                            |  |             |           |
|---|--|----------------|--|---|---|--------------------|----------------------------|--|-------------|-----------|
|   |  |                | [A/C, No, Ext]: [A/C, No]:   |   |   |                    |                            |  |             |           |
|   |  |                |  |   | ADDRESS:                                |                    |                            |  |             |           |
|   |  |                |  |   |   | INS                | URER(S) AFFOR              | DING COVERAGE                                | -           | NAIC #    |
| INSU  | PED  |                |  |   | INSURER A:                              |                    |                            |  | _           |           |
| 11100   | NEO .  |                |  |   | INSURER B:                              |                    |                            |  |             |           |
|   |  |                |  |   | INSURER C:                              |                    |                            |  | -           |           |
|   |  |                |  |   | INSURER D :                             |                    |                            |  | -           |           |
|   |  |                |  |   | INSURER E :                             |                    |                            |  | -           |           |
| 00  | WEDACES CE   | TIEV           | TATE   | NUMPED.   | INSURER F :                             |                    |                            | DEVISION NUMBER.                             |             |           |
| _   | VERAGES CEF HIS IS TO CERTIFY THAT THE POLICIES OF   |                |  | NUMBER:   | EN ISSUED T                             | O THE IN           |                            | REVISION NUMBER:                             | PERIOD      |           |
| C   | IDICATED. NOTWITHSTANDING ANY REQ<br>ERTIFICATE MAY BE ISSUED OR MAY PER<br>XCLUSIONS AND CONDITIONS OF SUCH F | JIREN<br>TAIN, | THE I  | TERM OR CONDITION OF AN<br>NSURANCE AFFORDED BY T | NY CONTRACTHE POLICIES                  | T OR OTH<br>DESCRI | HER DOCUME<br>BED HEREIN I | NT WITH RESPECT TO WHIC                      | CH THIS     |           |
| NSR<br>LTR  | TYPE OF INSURANCE  | ADDL           | SUBR   | POLICY NUMBER                                     | POL                                     | ICY EFF            | POLICY EXP<br>(MM/DD/YYYY) | LIMIT  | s           |           |
| Litt  | X COMMERCIAL GENERAL LIABILITY   | 11132          | 1  |   | 1,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |                    | January 1                  | EACH OCCURRENCE                              | S           | 1,000,000 |
| A   | CLAIMS-MADE X OCCUR  |                |  |   |   |                    |                            | DAMAGE TO RENTED<br>PREMISES (Ea occurrence) | s           | 500,000   |
|   |  | x              |  |   |   |                    | 1                          | MED EXP (Any one person)                     | s           | 10,000    |
|   |  | 1              |  |   |   |                    |                            | PERSONAL & ADV INJURY                        | s           | 1,000,000 |
|   | GEN'LAGGREGATE LIMIT APPLIES PER:  |                |  |   |   |                    | 1                          | GENERAL AGGREGATE                            | s           | 3,000,000 |
|   | X POLICY PRO- LOC  |                |  |   |   |                    |                            | PRODUCTS - COMP/OP AGG                       | s           | 3,000,000 |
|   | OTHER:   |                |  |   |   |                    |                            | 111000010                                    | \$          |           |
| 1   | TOMOBILE LIABILITY   |                |  |   |   |                    |                            | COMBINED SINGLE LIMIT<br>(Ea accident)       | 3           | 1,000,000 |
|   | OTUA YAA X   |                |  |   |   |                    |                            | BODILY INJURY (Per person)                   | \$          |           |
| A   | ALL OWNED SCHEDULED  |                |  |   |   |                    | - 3                        | BODILY INJURY (Per accident)                 | \$          |           |
|   | AUTOS AUTOS NON-OWNED  |                |  |   |   |                    |                            | PROPERTY DAMAGE                              | s           |           |
|   | HIRED AUTOS AUTOS  |                |  |   |   |                    | 8                          | (Per accident)                               | s           |           |
|   | X UMBRELLA LIAB X OCCUR  | $\vdash$       |  |   |   |                    |                            | EACH OCCURRENCE                              | s           | 5,000,000 |
|   | EXCESS LIAB CLAIMS-MADE  |                |  |   | - 1                                     |                    | 1                          | AGGREGATE                                    | s           | 5,000,000 |
| A   | DED RETENTION \$   | 1              |  |   |   |                    | 9                          | AGGREGATE                                    | s           | 0,000,000 |
| _   | WORKERS COMPENSATION   | _              | $\dashv$   |   |   |                    |                            | PER OTH-                                     | 3           |           |
| AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE   |  |                |  |   |   | E.L. EACH ACCIDENT | s                          |  |             |           |
|   | OFFICER/MEMBER EXCLUDED?   | N/A            |  |   |   |                    |                            | E.L. DISEASE - EA EMPLOYEE                   | s           |           |
|   | (Mandatory in NH)  If yes, describe under DESCRIPTION OF OPERATIONS below                                      | 1              | 1  |   |   |                    |                            |  | \$          |           |
| -   | DESCRIPTION OF OPERATIONS below  |                |  |   | _                                       |                    |                            | E.L. DISEASE - POLICY LIMIT                  | ,           |           |
|   |  | 1              |  |   |   |                    |                            |  |             |           |
|   |  |                |  |   |   |                    |                            |  |             |           |
| DEC   | CRIPTION OF OPERATIONS / LOCATIONS / VEHICLE   | SIAC           | 3PD 10   | Additional Pamarks Schadula m                     | av be attached i                        | f more ena         | co is required)            |  |             |           |
| DES   | CRIPTION OF OPERATIONS / LOCATIONS / VEHICLE   | 3 (AC          | JAD IV   | i, Additional Remarks Schedule, III               | ay be attached i                        | i more spar        | ce is required)            |  |             |           |
|   | he Township of Millstone, a municipal p  |                |  |   |   |                    |                            |  |             |           |
| p   | erformed in the public right(s) of way of  | Farrir         | ngton  | Boulevard and/or DeBaun                           | Road in the                             | Townsh             | ip of Milstone             | , Monmouth County, New                       | Jersey.     |           |
| F   | tiverside Center Property Owners' Asso   | ciation        | n, Inc.  | , ISAOA, ATIMA, as requir                         | ed by writter                           | agreen             | nent.                      |  |             |           |
|   |  |                |  |   |   |                    |                            |  |             |           |
| X   | XXIII Associates/Riverside Center, LLC   | , ISA          | DA, A  | TIMA, as required by writte                       | en agreemer                             | nt.                |                            |  |             |           |
| CE  | RTIFICATE HOLDER   |                |  |   | CANCELL                                 | ATION              |                            |  |             |           |
| Township of Millstone, a municipal public body corporate,<br>470 Stage Coach Road<br>Millstone Township, New Jersey 08510 |  |                | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |   |   |                    |                            |  |             |           |
|   | 1  |                |  |   | AUTHORIZED                              | REPRESEN           | TATIVE                     |  |             |           |
| _   |  |                |  |   | -                                       | @ 40               | 00 2044 404                | IAOLTAGOGGGG GGG                             | A 11 -1 - L |           |

#### RESOLUTION NO. 20-317 ADOPTION DATE: 10-21-2020

# RESOLUTION IN SUPPORT OF THE AFFORDABLE HOUSING ALLIANCE TRUST FUND APPLICATION WITH THE NEW JESEY DEPARTMENT OF COMMUNITY AFFAIRS, NEW JERSEY AFFORDABLE HOUSING TRUST FUND PROGRAM

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

WHEREAS, Affordable Housing Alliance, the Developer, desires to apply for and obtain funds from the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program for an amount not to exceed the maximum amount allowed in accordance with N.J.A.C 5:43-1.1 et seq. for the purpose of developing approximately ten (10) units of low (5) and moderate (5) income affordable housing in the Allen House 2 ("Project").

WHEREAS, the Municipality has determined that the housing project referenced above, will meet part of the Municipality's low and moderate housing obligation in its Housing Element and Fair Share Plan; and

BE IT RESOLVED, that the Township of Millstone, the Municipality, does hereby support this application for such funds to the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program and acknowledge that the Project is located in an eligible municipality in accordance with N.J.A.C. 5:43-1.3(a). The municipality also asks the Affordable Housing Alliance, the Developer, as permitted under N.J.A.C. 5:43-1.3(a), to contract only for this project, directly with the Department of Community Affairs.

#### ROLL CALL:

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

NAYS: None ABSTAIN: None ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the resolution adopted by the Millstone Township Committee at its meeting of October 21, 2020.

#### RESOLUTION NO. 20-318 ADOPTION DATE: 10-21-2020

# RESOLUTION ADOPTING REMOTE MEETING STANDARD PROCEDURES AND REQUIREMENTS

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

WHEREAS, the Division of Local Government Services has promulgated emergency regulations addressing requirements for remote meetings held during a state of emergency in response to the restrictions necessitated by COVID-19; and

WHEREAS, the Township Committee of the Township of Millstone wishes to adopt its standard procedures and requirements governing the conduct of remote access to its meetings in accordance with the aforementioned regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Millstone that the following standard procedures and requirements shall govern remote access to public meetings of the Township Committee:

- 1. Submission of written public comment in advance of the remote meeting.
  - a. Public comments may be submitted in writing to the Township Clerk in advance of a remote Township Committee meeting to be read aloud and addressed during the public portion of the meeting.
  - b. Written public comments may be submitted by email to <u>k-hart@millstonenj.gov</u> with the subject line "Written Public Comment", or by regular mail to:

Municipal Clerk, Township of Millstone 470 Stage Coach Road Millstone Township, NJ 08510

c. All written public comments must be received at least twenty-four (24) hours prior to the beginning of the Township Committee meeting to be read aloud. Comments received after that deadline shall be read at the following Township Committee meeting.

- d. A time limit of three (3) minutes shall be allotted to the reading of each written public comment to ensure that all public comments have a fair opportunity to be heard.
- e. Written public comments that are duplicative of previously-submitted comments shall be noted for the record and their content shall be summarized rather than read in full.
- 2. Members of the public participating by remote internet access or telephonic access shall be allotted up to three (3) minutes.
- 3. Muting of disruptive members of the public
  - a. Members of the public that are disruptive during a remote public meeting may be muted and/or removed from the meeting. For purposes of this section, "disruptive conduct" includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.
  - b. Once a member of the public exhibits disruptive conduct, the member may be initially muted and warned that continue disruption may result in their being prevented from speaking during the meeting or removed from the remote meeting. The disruptive member will then be unmuted.
  - c. If the disruptive member continues to exhibit disruptive conduct, they may be muted without further warning while other members of the public are allowed to proceed with their questions or comments.
  - d. If time permits, the muted disruptive member shall be allowed to speak after all other members of the public have been given the opportunity to make comment, subject to the time limits set forth above.
  - e. If the member exhibits disruptive conduct again, they shall be muted for the remainder and/or removed from the meeting.

#### ROLL CALL:

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

NAYS: None ABSTAIN: None ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of October 21, 2020.

KATHLEEN HART, RMC Township Clerk

#### RESOLUTION NO. 20-319 MEETING DATE: 10-21-2020

## RESOLUTION DIRECTING TAX COLLECTOR TO CANCEL REAL ESTATES TAXES ON BLOCK 39.01, LOT 16.11

**DM/Grbelja** offered the following Resolution and moved its adoption, which was seconded by **C/Ferro**:

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.30 et seq.: L.1948, c.259 as amended, Property Tax Exemption on Dwelling House of Disabled Veteran or Surviving Spouse, Sarah Rees is 100% totally and permanently disabled, as declared by the Department of Veterans Affairs; and

**WHEREAS**, Sarah Rees previously owned 1/3<sup>rd</sup> of 17 Halka Way and now owns one half of 17 Halka Way, Millstone Township;

**WHEREAS**, in accordance with Resolution 20-122, 1/3<sup>rd</sup> of the property taxes for the 4<sup>th</sup> quarter of 2020 were cancelled in the amount of \$1,089.82, and as of October 1, 2020, an additional \$544.92 will be cancelled for 4<sup>th</sup> quarter totaling \$1,634.74, pursuant to the above provision;

**WHEREAS**, one half of the 2021 preliminary taxes should also be cancelled in the amount that will be entered in the 2020 Extended Tax Duplicate; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Millstone that the Tax Collector is hereby authorized to cancel one half of the real estate taxes on Block 39.01, Lot 16.11, 17 Halka Way, Millstone, NJ; and

**BE IT FURTHER RESOLVED** a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to the Tax Collector, the Tax Assessor, the Chief Financial Officer, and the Monmouth County Board of Taxation.

#### **ROLL CALL:**

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

NAYS: None ABSTAIN: None ABSENT: None

**I HEREBY CERTIFY** the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of October 21, 2020.

#### RESOLUTION NO: 20-320 MEETING DATE: 10-21-2020

#### RESOLUTION APPPOINTING TEMPORARY BUILDING INSPECTOR

**DM/Grbelja** offered the following resolution and moved its adoption, which was seconded by **C/Ferro**.

**WHEREAS**, Millstone Township's Construction Department has a need to fill a temporary position;

**WHEREAS**, the Administrator and the Construction Official are in agreement that James Wishbow should be offered the position of Temporary Building Inspector at an hourly rate of \$37.00, for a maximum of 17 hours per week.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Millstone that James Wishbow is appointed the Temporary Building Inspector effective October 26<sup>th</sup>, 2020.

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

- (1) New Jersey Department of Community Affairs
- (2) Kevin Abernethy Business Administrator/CFO
- (3) Dennis Gibson Construction Official
- (4) Amanda Salerno Treasurer
- (5) James Wishbow Appointee

#### **ROLL CALL:**

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

NAYS: None ABSTAIN: None ABSENT: None

**I HEREBY CERTIFY** the foregoing to be a true copy of the resolution adopted by the Millstone Township Committee at its regular meeting of October 21, 2020.

#### RESOLUTION NO. 20-321 MEETING DATE 10-21-20 20

## RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

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

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Millstone, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an additional item of revenue in the budget of the year 2020, which represents the additional grant money received in 2020, in the sum of \$469.00, which is now being appropriated for the 2020 Municipal Alliance Grant, in the additional amount of \$469.00.

**BE IT FURTHER RESOLVED,** that the above is the result of funds from The Alliance to Prevent Alcoholism and Drug Abuse in the amount of \$469.00.

<u>Jan 1 – Sept 30</u> DEDR \$469.00

#### **ROLL CALL:**

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

NAYS: None ABSTAIN: None ABSENT: None

**I HEREBY CERTIFY** the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone at its regular meeting held on October 21, 2020.