

RESOLUTION NO. 21-139
MEETING DATE: 07-07-2021

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

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

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

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/Ferro, DM/Grbelja, C/McLaughlin, C/Morris, M/Dorfman
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 July 7, 2021.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 21-140

SCHEDULE 21-07 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON July 7, 2021

SEE SCHEDULE 21-07 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 21-07 attached.

Gary Dorfman, Mayor

Nancy Grbelja, Deputy Mayor

Albert Ferro, Committeeman

Michael McLaughlin, Committeeman

Chris Morris, Committeeman

Attest: _____
Kathleen Hart
Municipal Clerk

TOWNSHIP OF MILLSTONE
RESOLUTION NO. 21-140
July 7, 2021

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 21-07, July 7, 2021, Consolidated Bill List, and the vouchers listed below as Schedule 21-07 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: \$ 348,066.26

SCHEDULE 21-07 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 9,039.38

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 33,220.00

GRANT FUND

TOTAL GRANT FUND \$ 2,876.21

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 774.82

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 319.62

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 1,890.70

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 174,887.19

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 \$ 12,664.89

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 502.64

TOTAL FOR ALL FUNDS \$ 584,241.71

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 105.20

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 3,055.06

TOTAL FOR ESCROW \$ 3,160.26

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

AYES: C/McLaughlin, C/Morris, C/Ferro, DM/Grbelja, M/Dorfman

NAYS: None

ABSTAIN: None

ABSENT: None

RESOLUTION NO. 21-141
ADOPTION DATE: 07-07-2021

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN
MILLSTONE TOWNSHIP BOARD OF EDUCATION AND MILLSTONE TOWNSHIP
FOR EQUIPMENT/VEHICLE MAINTENANCE**

C/McLaughlin offered the following Resolution and moved its adoption which was second by **C/Morris**.

WHEREAS, Millstone Township has the need for Equipment/Vehicle Maintenance services to be provided to various Equipment/Vehicles owned by the Township; and

WHEREAS, the Millstone Township Board of Education wishes to assist and cooperate with the Township to meet this need; and

WHEREAS, Millstone Township and the Millstone Township Board of Education have agreed to enter into a Shared Services Agreement, effective July 1, 2021 through June 30, 2022 at an hourly rate of \$54.00, pursuant to N.J.S.A. 40A:65-1 et. seq.; and

WHEREAS, the form of Agreement to be entered into is on file in the Township 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 Township Administrator and Township Clerk are hereby authorized to execute a Shared Services Agreement for maintenance services inclusive of Equipment/Vehicle Maintenance to be provided to various Equipment/Vehicles owned by the Township.

BE IT FURTHER RESOLVED that the initial term of this agreement shall be for one (1) year and shall automatically renew for additional terms for one (1) year for a maximum of three (3) years, unless either party provides the other party with written notice by certified mail

at least sixty (60) days before the expiration of the yearly term that it does not wish to renew this agreement.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy be forwarded to the Millstone Township Board of Education, Millstone Township Chief Financial Officer and to the New Jersey Department of Community Affairs, Division of Local Government Services.

ROLL CALL:

AYES: C/McLaughlin, C/Morris, C/Ferro, DM/Grbelja, M/Dorfman

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 July 7, 2021.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 21-142
MEETING DATE: 07-07-2021

**RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE
A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR “IMPROVEMENTS TO MILLSTONE ROAD PHASE II
FROM NJ STATE HIGHWAY ROUTE 33 TO PERRINEVILLE ROAD COUNTY
ROUTE 1**

C/McLaughlin offered the following Resolution and moved its adoption, which was seconded by C/Morris.

WHEREAS, the Township 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 Millstone Road from New Jersey Highway Route 33 to Perrineville Road County Route 1”.

WHEREAS, the total construction estimate for these improvements is \$850,000.00 and \$350,000 in State funds are anticipated, and the Township of Millstone will contribute \$500,000.00 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 Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2022-Improvements to Millstone Road Phase II – 00190 to the New Jersey Department of Transportation on behalf of the Township of Millstone.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign a grant agreement on behalf on 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/McLaughlin, C/Morris, C/Ferro, DM/Grbelja, M/Dorfman
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 July 7, 2021.

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

ATTEST and AFFIX SEAL

Kathleen Hart, RMC
Municipal Clerk

Gary Dorfman
Mayor

RESOLUTION NO. 21-143
MEETING DATE: 07-07-2021

**RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE
A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR “IMPROVEMENTS TO STILLHOUSE ROAD PHASE IV
FROM STAGE COACH ROAD (MONMOUTH COUNTY ROUTE 524) TO PAINT
ISLAND SPRING ROAD**

C/McLaughlin offered the following Resolution and moved its adoption, which was seconded by C/Morris.

WHEREAS, the Township 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 Stillhouse Road Phase IV from Stage Coach Road (Monmouth County Route 524) to Paint Island Spring Road.

WHEREAS, the total construction estimate for these improvements is \$525,000.00 and \$350,000 in State funds are anticipated, and the Township of Millstone will contribute \$175,000.00 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 Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Improvements to Stillhouse Road Phase IV – 00346 to the New Jersey Department of Transportation on behalf of the Township of Millstone.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign a grant agreement on behalf on 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/McLaughlin, C/Morris, C/Ferro, DM/Grbelja, M/Dorfman
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 July 7, 2021.

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

ATTEST and AFFIX SEAL

Kathleen Hart, RMC
Municipal Clerk

Gary Dorfman
Mayor

RESOLUTION NO.: 21-144
ADOPTION DATE: 07-07-2021

RESOLUTION AUTHORIZING EXECUTION OF RELEASE OF DEVELOPER'S
AGREEMENT FOR SIL-KEMP CONCRETE, INC., D/B/A SILVI CONCRETE OF
ENGLISHTOWN, INC., SITE PLAN NO. ZD-ZMS02-26, BLOCK 22, LOTS 13 AND 14

C/McLaughlin offered the following Resolution and moved its adoption which was seconded by C/Morris.

WHEREAS, Sil-Kemp Concrete, Inc., d/b/a Silvi Concrete of Englishtown, Inc., as Developer of Site Plan No. ZD-ZMS02-26, and the Township of Millstone entered into a Developer's Agreement dated March 18, 2004 as a portion of the performance guarantee for improvements to be made by the Developer on all or a portion of real estate known as Block 22, Lots 13 and 14; and

WHEREAS, the Developer's Agreement was recorded in the Monmouth County Clerk's office on June 14, 2004 in Book OR 8371, Page 4669; and

WHEREAS, the Township Engineer has advised that all aspects of the project approved by the Zoning Board of Adjustment Resolution of approval dated May 8, 2003 have been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Millstone that the Mayor is hereby authorized to execute and the Township Clerk to attest the attached Release of Developer's Agreement between the Township of Millstone and Sil-Kemp Concrete, Inc., d/b/a Silvi Concrete of Englishtown, Inc.

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 Engineer, Township Zoning Board of Adjustment, Township Attorney and the Developer, c/o Kenneth L. Pape, Esq., 516 State Route 33, Millstone, New Jersey 08535.

ROLL CALL:

AYES: C/McLaughlin, C/Morris, C/Ferro, DM/Grbelja, M/Dorfman
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 July 7, 2021.

KATHLEEN HART, RMC
Township Clerk

RESOLUTION NO.: 21-145
ADOPTION DATE: 07-07-2021

RESOLUTION AUTHORIZING EXECUTION OF RELEASE OF DEVELOPER'S
AGREEMENT FOR SIL-KEMP CONCRETE, INC., D/B/A SILVI GROUP COMPANIES,
SITE PLAN NO. Z16-05, BLOCK 22, LOT 13 BECAUSE OF ABANDONMENT OF
APPROVAL

C/McLaughlin offered the following Resolution and moved its adoption which was seconded by C/Morris.

WHEREAS, Sil-Kemp Concrete, Inc., d/b/a Silvi Group Companies, as Developer of Site Plan No. Z16-05, and the Township of Millstone entered into a Developer's Agreement dated June 21, 2017 as a portion of the performance guarantee for improvements to be made by the Developer on all or a portion of real estate known as Block 22, Lot 13; and

WHEREAS, the Developer's Agreement was recorded in the Monmouth County Clerk's office on June 27, 2017 in Book OR 9232, Page 9564; and

WHEREAS, the Developer's Attorney advises that the Developer has abandoned the approval that was granted by the Zoning Board of Adjustment Resolution dated January 25, 2017; and

WHEREAS, in reliance of such abandonment of the approval, said approval is deemed null and void, thereby making the release of the Developers Agreement appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Millstone that the Mayor is hereby authorized to execute and the Township Clerk to attest the attached Release of Developer's Agreement between the Township of Millstone and Sil-Kemp Concrete, Inc., d/b/a Silvi Group Companies.

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 Engineer, Township Zoning Board of Adjustment, Township Attorney and the Developer, C/o Kenneth L. Pape, Esq., 516 State Route 33, Millstone, New Jersey, 08535.

ROLL CALL:

AYES: C/McLaughlin, C/Morris, C/Ferro, DM/Grbelja, M/Dorfman
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 July 7, 2021.

KATHLEEN HART, RMC
Township Clerk

RESOLUTION NO. 21-146
MEETING DATE: 07-07-2021

RESOLUTION APPOINTING PART-TIME TAX COLLECTOR

C/McLaughlin offered the following Resolution and moved it adoption, which was seconded by **C/Morris**.

WHEREAS, Millstone Township's Tax Collector resigned effective June 18, 2021, therefore, creating a vacancy in the position; and

WHEREAS, pursuant to N.J.S.A. 40A:9-142, term of office, the appointment of Elizabeth Kiernan is effective July 1, 2021 and will fulfill the unexpired term of Lorraine Maher, whose term expires December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Millstone that Elizabeth Kiernan is hereby appointed as Part-Time Tax Collector at an hourly rate of \$50.00.

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

- a. Elizabeth Kiernan, Tax Collector
- b. Kevin Abernethy, Township Administrator/CFO
- c. Amanda Salerno, Township Treasurer
- d. Director of the Division of Local Government Services

ROLL CALL:

AYES: C/McLaughlin, C/Morris, C/Ferro, DM/Grbelja, M/Dorfman
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 July 7, 2021.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO. 21-147
MEETING DATE: 07-07-2021

**RESOLUTION TO JOIN WITH COUNTY OF MONMOUTH IN APPLYING FOR A LEAP
IMPLEMENTATION GRANT**

C/McLaughlin offered the following Resolution and moved its adoption, which was seconded by **C/Morris**.

WHEREAS, the State of New Jersey has appropriated \$10 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development and implementation of new shared and regional services; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

WHEREAS, LEAP Implementation Grants exist to support costs associated with shared service implementation to ensure that meaningful, efficiency generating initiatives are not hindered by short term transitional expenses; and

WHEREAS, the County of Monmouth and Participating Local Units propose to enter into a shared services agreement, but face certain expenses associated with implementation that present a burden to the local units; and

WHEREAS, the purpose of this shared services agreement is to provide the technical benefits the County receives through our high resolution aerial imagery service (Nearmap) to all fifty-three (53) municipalities in the County, free of charge for two years, which will benefit the residents of all participating local units; and

WHEREAS, this service will provide high resolution, high quality imagery, as well as a complete set of countywide images three times a year through a web-based interface that allows the user to view the most recent images online; and

WHEREAS, municipal governments will use this to do the following:

- Measure size and footprints of buildings
- Determine property boundaries, setbacks and buffers
- Evaluate environmental conditions and potential development impacts
- Estimate capital investments
- Post disaster damage assessment
- Hazard mitigation assessments
- Search and rescue; and

WHEREAS, the COUNTY OF MONMOUTH has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Millstone, that the Township of Millstone does hereby join with COUNTY OF MONMOUTH in applying for a LEAP Implementation Grant in the amount of \$250,000.00 to support implementation of this shared service.

ROLL CALL:

AYES: C/McLaughlin, C/Morris, C/Ferro, DM/Grbelja, M/Dorfman
NAYS: None
ABSTAIN: None
ABSENT: None

CERTIFICATION

I, Kathleen Hart, Clerk of the Township of Millstone in the County of Monmouth, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Township of Millstone at its meeting of July 7, 2021.

Kathleen Hart, RMC
Township Clerk