

RESOLUTION NO. 22-222
MEETING DATE: 12-21-2022

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

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

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. Litigation
 3. 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/Davis, C/McLaughlin, C/Zabrosky, M/Ferro
NAYS: None
ABSTAIN: None
ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on December 21, 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 22-223
MEETING DATE: 12-21-2022

RESOLUTION TO TRANSFER FUNDS ON CURRENT YEAR APPROPRIATIONS #3

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

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers within certain appropriations within the Municipal Budget during the last two months of the fiscal year; and

WHEREAS, the Chief Financial Officer has advised the Mayor and Committee of the Township of Millstone that the need for certain transfers within the 2022 Municipal Budget exists; and,

WHEREAS, it is recommended that these budget transfers be made.

NOW, THEREFORE, BE IT RESOLVED that the following budget transfers be made in the 2022 Municipal Budget:

<u>CURRENT ACCOUNT</u>		<u>FROM</u>	<u>TO</u>
Open Space	OE	\$4,000	
Agricultural	OE	4,000	
Construction	OE	10,000	
Health Insurance	OE	10,000	
Environmental	OE	2,000	
Court	OE	<u>5,000</u>	
Vehicle Maint.	OE		\$5,000
Shade Tree	OE		<u>30,000</u>
TOTAL		\$35,000	\$35,000

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to the Chief Financial Officer and the Treasurer.

ROLL CALL:

AYES: C/McLaughlin, C/Zabrosky, C/Davis, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 21, 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO: 22-224
MEETING DATE: 12-21-2022

**RESOLUTION ESTABLISHING THE 2023 ANNUAL SCHEDULE OF MEETINGS
FOR THE MILLSTONE TOWNSHIP COMMITTEE**

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

WHEREAS, it is necessary and expedient for members of the Township Committee to meet together formally and informally during the year 2023; and

WHEREAS, the Open Public Meetings Act requires that a schedule of all meetings be adopted.

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

1. The Township Committee of the Township of Millstone will hold its Re-Organization meeting on Wednesday, January 4, 2023 at 7:00 p.m. and hold its regular official meetings on the first and third Wednesday of each month in the year 2023 at 8:00 p.m., with the exception of the month of November which only has a scheduled meeting on the first Wednesday of the month. All meetings will be held at the Municipal Meeting Room, 215 Millstone Road, Perrineville, New Jersey, 08535.
2. Official action may be taken at any of the meetings listed in paragraph 1.
3. Whenever a meeting scheduled in paragraph 1 falls on a Legal Holiday of the State of New Jersey or of the Federal Government the Township Committee meeting shall be held on the following day at the same time and place.
4. To the extent required and in order not to inconvenience the attending public, the aforementioned meetings shall begin at 7:00 p.m. to accommodate any items that are permitted or required, to be discussed in closed session. Said meetings shall be open to the public at 7:00 p.m. in order to adopt the requisite Resolution to go into Executive Session.

BE IT FURTHER RESOLVED that the Municipal Clerk shall do the following:

1. Post a copy of this Resolution on the Bulletin Board reserved for public announcements in the Municipal Building.
2. Maintain a copy of this Resolution in the Municipal Clerk's office.
3. Provide a certified true copy of this Resolution to The Times of Trenton, 413 River View Plaza, Trenton, NJ 08611 and The Asbury Park Press, P.O. Box 1550, Neptune, NJ 07754.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro
NAYS: None
ABSTAIN: None
ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 21, 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION: 22-225
MEETING DATE: 12-21-2022

RESOLUTION AUTHORIZING SCHEDULE OF HOLIDAYS FOR 2023

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the schedule of holidays for the calendar year 2023 be as follows:

THE FOLLOWING IS A LIST OF OFFICIAL HOLIDAYS FOR 2023:

January	16,	2023	Monday	Martin Luther King Jr. Day
* February	13,	2023	Monday	Lincoln's Birthday Observed
February	20,	2023	Monday	President's Day
April	7,	2023	Friday	Good Friday
May	29,	2023	Monday	Memorial Day
July	4,	2023	Tuesday	Independence Day
September	4,	2023	Monday	Labor Day
* October	9,	2023	Monday	Columbus Day
November	10,	2023	Friday	Veteran's Day Observed
November	23,	2023	Thursday	Thanksgiving Day
** November	24,	2023	Friday	Day After Thanksgiving
December	25,	2023	Monday	Christmas Day
January	1,	2024	Monday	New Year's Day

INFORMATION: Holidays that fall on Saturday are celebrated on Friday. Holidays that fall on Sunday are celebrated on Monday. In light of a new Agreement reached with the Communication Workers of America, Local 1075, there was a change in the recognized holidays, wherein Election Day will be a working day and in lieu thereof, the employees will be afforded an additional paid day off either before or after the Christmas holiday break.

***Floating Holiday – Municipal Offices Open.**

**** As approved by the Township's policy manual, the day after Thanksgiving municipal offices will be closed.**

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: DM/Morris

I HEREBY CERTIFY the following to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 21, 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 22-226
MEETING DATE: 12-21-2022

**RESOLUTION LISTING HOLIDAYS TO BE OBSERVED BY THE MINING
OPERATORS IN MILLSTONE TOWNSHIP FOR 2023**

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

WHEREAS, the following is a listing of holidays to be observed by the mining operators in Millstone Township for 2023:

May 29, 2023	Monday	Memorial Day
July 4, 2023	Tuesday	Independence Day
September 4, 2023	Monday	Labor Day
November 23, 2023	Thursday	Thanksgiving Day
December 25, 2023	Monday	Christmas Day Observed

BE IT FURTHER RESOLVED a copy of this Resolution certified by the Municipal Clerk to be a true copy be forwarded to the Code Enforcement Officer, Township Engineer and Mining Operators.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro
NAYS: None
ABSTAIN: None
ABSENT: DM/Morris

I HEREBY CERTIFY the following to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 21, 2022.

Kathleen Hart, RMC
Municipal Clerk

**RESOLUTION NO. 22-227
MEETING DATE: 12-21-2022**

**RESOLUTION TO DESIGNATE OFFICIAL NEWSPAPERS WHICH
WILL RECEIVE PUBLIC NOTICES FOR 2023**

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

BE IT RESOLVED, that this Committee hereby designates The Times of Trenton, 413 River View Plaza, Trenton, NJ 08611 and The Asbury Park Press, P.O. Box 1550, Neptune, New Jersey, 07754 as the two Newspapers to receive Public Notices as required by P.L. 1975, C231 (OPEN PUBLIC MEETINGS ACT).

BE IT FURTHER RESOLVED, that a copy of this resolution is forwarded to the above newspapers.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 15, 2021.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 22-228
MEETING DATE: 12-21-22

**RESOLUTION TO REPORT ADDITIONS AND DELETIONS
TO THE FIXED ASSETS REPORT**

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

WHEREAS, N.J.A.C. 5:30-5.6, as well as Technical Accounting Directive No. 85-2, specify the accounting requirements for government fixed assets; and

WHEREAS, the threshold for “nonexpendable, tangible personal property” is \$5,000 and a useful life of at least five years; and

WHEREAS, the Chief Financial Officer has advised the Mayor and Committee of the Township of Millstone of the attached Additions and Deletions to the cumulative Fixed Assets Report for Machinery and Equipment.

NOW, THEREFORE, BE IT RESOLVED that the attached Additions and Deletions to the cumulative Fixed Assets for Machinery and Equipment be approved; and

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy, be forwarded to the Chief Financial Officer and the Township Auditor.

VOTE:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 21, 2022.

Kathleen Hart, RMC
Municipal Clerk

Township of Millstone
 Fixed Assets "Delete List" 2022
 Machinery and Equipment Detail
 1/1 through 12/31/2022

Year	Vendor	PO #	Description	Dept.	Trk#	Amount	Comments	Tag #	
2004	Sansone Motor Fleet	04-01425	2004 F250 Cab & options (red)	dpw	810	18,640.00	V#1FTNF21L04EE09584 (old tag#038)	000083	MG61944
GRAND TOTAL:						\$18,640.00			

RESOLUTION NO. 22-229
MEETING DATE: 12-21-2022

**RESOLUTION SUPPORTING MILLSTONE TOWNSHIP'S PARTICIPATION IN
THE STATE AGRICULTURE DEVELOPMENT COMMITTEE'S MUNICIPAL
PLANNING INCENTIVE GRANT PROGRAM 2024 PLANNING ROUND**

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

WHEREAS, the Agricultural Retention and Development Act establishes the State Agriculture Development Committee (SADC) to implement the preservation of farmland through the retirement of development rights and the acquisition of agricultural easements; and

WHEREAS, the SADC enacted the Planning Incentive Grant (PIG) Program in 1999 to enhance farmland preservation by providing grants to eligible counties and municipalities for farmland acquisition and easements; and

WHEREAS, N.J.S.A. 2:76-17A.6 requires municipalities to submit annual applications to the Farmland Preservation Program Municipal Planning Incentive Grant to be eligible to receive funding; and

WHEREAS, N.J.S.A. 2:76-17A.6(a)2iii(3) requires Municipal Planning Incentive Grant applications be accompanied by a resolution of support from the Governing Body; and

WHEREAS, the Millstone Township Committee has determined that it is in the best interests of the Township to maintain a robust farmland preservation program, to continue to access funds from the SADC's Municipal PIG program, and to acquire as many farmland preservation easements from eligible farms, in partnership with the SADC and the County of Monmouth, as possible; and

WHEREAS, Millstone Township's Agriculture Advisory Council recommends that the Township continue to participate in the SADC's Municipal PIG program

NOW, THEREFORE BE IT RESOLVED by the Township Committee of Millstone Township, County of Monmouth, State of New Jersey that it endorses and supports the submission of the Millstone Township Farmland Preservation Municipal Planning Incentive Grant Program 2024 Planning Round Application to the SADC.

BE IT FURTHER RESOLVED a copy of this Resolution certified by the Township Clerk to be forwarded to the Millstone Township Agriculture Advisory Council and the SADC.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 21, 2022.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO. 22-230
MEETING DATE: 12-21-2022

**RESOLUTION AUTHORIZING CANCELLATION OF BALANCE PREVIOUSLY
APPROPRIATED FROM A PRIOR YEAR CAPITAL BOND ORDINANCE**

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

WHEREAS, a remaining balance from a specific appropriation in the General Capital Fund exists, which is in connection with Capital Bond Ordinance #10-33, adopted on December 15, 2010, and is no longer necessary for the purpose authorized therein; and

WHEREAS, the Township now desires to cancel the entire amount of Bonds and Notes Authorized But Not Issued of \$413,250, which includes the unexpended balance in the amount of \$435,000.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Bonds and Notes Authorized But Not Issued, as well as the unexpended and dedicated balance in the General Capital Fund Appropriation are hereby cancelled.

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

- a. Township Attorney
- b. Township CFO
- c. Township Auditor
- d. Township Administrator

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 21, 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 22-231
ADOPTION DATE: 12-21-2022

**RESOLUTION AUTHORIZING EXECUTION OF LICENSE AGREEMENT FOR 14
CHADWICK ROAD IN THE TOWNSHIP OF MILLSTONE**

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

WHEREAS, a drainage easement exists on property located at 14 Chadwick Road, Millstone Township, also known as Block 27.01, Lot 5; and

WHEREAS, a shed is located in the drainage easement; and

WHEREAS, the Township desires to license the homeowner the right to maintain the existing shed on the property under certain conditions; and

WHEREAS, the Township Attorney has reviewed and approved the License Agreement setting forth the terms and conditions relating to the shed in the drainage easement.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Mayor and Township Clerk are hereby authorized to execute the attached License 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 Township Attorney, Township Engineer, Township Construction Official and to the property owner's attorney, Jared Pape, Esq., 516 State Route 33, Millstone, New Jersey 08535.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro
NAYS: None
ABSTAIN: None
ABSENT: DM/Morris

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 December 21, 2022.

KATHLEEN HART, RMC
Municipal Clerk

RESOLUTION NO.: 22-232
ADOPTION DATE: 12-21-2022

**RESOLUTION ENDORSING AN AMENDED TREATMENT WORKS APPLICATION FOR
MILLSTONE RIVER MART LLC, BLOCK 59, LOT 11, 508 MONMOUTH ROAD**

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

WHEREAS, per Township Resolution #18-210, dated December 19, 2018, the Township of Millstone endorsed a Treatment Works Application related to a new 14,443 square foot retail space with restaurants, which was approved by the Township Zoning Board of Adjustment; and

WHEREAS, the applicant, Millstone River Mart LLC, is amending the application to add a pump station into the collection system for better flow distribution; and

WHEREAS, the engineer's revised plans for the wastewater treatment and disposal system have been reviewed and approved by the 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 amended Treatments Work Application referenced herein.

BE IT FURTHER RESOLVED that the Mayor and Township 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 Township Clerk, to be a true copy to be forwarded to each of the following:

1. Township Engineer
2. Millstone River Mart, LLC

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro
NAYS: None
ABSTAIN: None
ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 21, 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 22-233

SCHEDULE 22-12B S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON December 21, 2022

SEE SCHEDULE 22-12B ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 22-12B attached.

Al Ferro, Mayor

Chris Morris, Deputy Mayor

Eric Davis, Committeeman

Michael McLaughlin, Committeeman

Tara Zabrosky, Committeewoman

Attest: _____
Kathleen Hart
Municipal Clerk

TOWNSHIP OF MILLSTONE
RESOLUTION NO. 22-233
December 21, 2022

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 22-12B, December 21, 2022, Consolidated Bill List, and the vouchers listed below as Schedule 22-12B 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: \$ 738,745.10

SCHEDULE 22-12B S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 6,133.40

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 12,263.40

GRANT FUND

TOTAL GRANT FUND \$ 1,734.77

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 2,859.48

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 0.00

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 622.98

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 127,708.83

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 \$ 17,791.73

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 488.04

TOTAL FOR ALL FUNDS \$ 908,347.73

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 1,242.30

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 10,210.11

TOTAL FOR ESCROW \$ 11,452.41

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

AYES: C/ZABROSKY, C/DAVIS, C/MCLAUGHLIN, M/FERRO

NAYS: NONE

ABSTAIN: NONE

ABSENT: DM/MORRIS