

**RESOLUTION NO. 22-67**  
**MEETING DATE: 02-16-2022**

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

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

**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. Litigation
  2. Potential 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, DM/Morris, C/Zabrosky, M/Ferro  
**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 February 16, 2022.

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Kathleen Hart, RMC  
Municipal Clerk

**RESOLUTION NO. 22-68**  
**ADOPTION DATE: 02-16-2022**

**RESOLUTION ACKNOWLEDGING RECEIPT AND REVIEW OF  
PLANNING BOARD CONSISTENCY REPORT FOR ORDINANCE 22-01**

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

WHEREAS, the Township Committee introduced Ordinance No. 22-01 and referred it to the Planning Board pursuant to N.J.S.A. 40:55D-26(a); and

WHEREAS, on February 9, 2022, the Planning Board reported its findings on the Ordinance to the Township Committee.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee acknowledges receipt and has reviewed the Planning Board report finding the ordinance to be consistent with the Master Plan.

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

**ROLL CALL:**

AYES: C/McLaughlin, DM/Morris, C/Zabrosky, C/Davis, M/Ferro  
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 February 16, 2022.

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KATHLEEN HART, RMC  
Municipal Clerk

**RESOLUTION NO. 22-69**  
**MEETING DATE: 02-16-22**

**RESOLUTION TO ADOPT TEMPORARY EMERGENCY**  
**APPROPRIATIONS #1**

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

**WHEREAS**, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2022 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total **\$429,316.00**.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Township of Millstone, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2022 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

**BE IT FURTHER RESOLVED** that one certified copy of this resolution be filed with the Director of Local Government Services and one certified copy with the Chief Financial Officer.

<u>DEPARTMENT</u>	<u>S&amp;W</u>	<u>OE</u>
General Administration	\$ 3,800	
Clerk	1,000	
Finance	6,000	
Tax Collector	800	
Tax Assessor	4,000	
Construction	17,000	
Code Enforcement	2,000	
Streets & Roads	20,000	
Sanitation	2,000	
Buildings & Grounds	1,500	
Environmental Commission	200	
Recreation	1,500	
Court	1,500	
Clerk		\$ 2,000
Mayor & Committee		1,000
Tax Collector		1,500
Tax Assessor		500
Legal		10,000
Historic		1,000
Open Space		1,000
Construction		5,000

Health Insurance	50,000
Streets & Roads	30,000
Shade Tree	700
Unemployment	1,500
Sanitation	60,000
Public Health	2,000
Environmental Commission	500
Electricity	5,000
Street Lighting	5,000
Telephone	2,000
Natural Gas	2,500
PERS	164,816
Social Security	20,000
DCRP	1,000
Court	<u>1,000</u>

Sub-Total      \$61,300      \$368,016

**TOTAL                      \$429,316**

**ROLL CALL:**

**AYES:            C/Davis, C/McLaughlin, DM/Morris, C/Zabrosky, M/Ferro**

**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 February 16, 2022.

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Kathleen Hart, RMC  
Municipal Clerk

RESOLUTION NO. 22-70

SCHEDULE 22-02B S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO  
THE TOWNSHIP COMMITTEE AT A MEETING  
HELD ON February 16, 2022

SEE SCHEDULE 22-02B ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 22-02B 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. 22-70**  
February 16, 2022

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 22-02B, February 16, 2022, Consolidated Bill List, and the vouchers listed below as Schedule 22-02B 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: \$ 937,900.69

**SCHEDULE 22-02B S**

**PAYROLL FUND**

TOTAL PAYROLL TRUST FUND \$ 4,802.63

**GENERAL CAPITAL FUND**

TOTAL GENERAL CAPITAL FUND \$ 19,854.66

**GRANT FUND**

TOTAL GRANT FUND \$ 1,749.06

**RESERVE TRUST FUND**

TOTAL RESERVE TRUST FUND \$ 634.44

**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 \$ 9,759.00

**OPEN SPACE FARMLAND TRUST FUND**

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 29,991.24

**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 \$ 200.00

**ANIMAL CONTROL TRUST FUND**

TOTAL DOG TRUST FUND \$ 363.04

**TOTAL FOR ALL FUNDS \$ 1,005,254.76**

**ESCROW**

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

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 1,499.00

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

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 23,168.00

**TOTAL FOR ESCROW \$ 24,667.00**

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

**RESOLUTION NO. 22-71**  
**MEETING DATE: 02-16-2022**

**RESOLUTION AUTHORIZING GOVERNOR'S COUNCIL ON ALCOHOLISM  
AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2020 - JUNE 2025  
FORM 1B**

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

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, The Township Committee of the **Township of Millstone**, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

**WHEREAS**, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Millstone, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Millstone Municipal Alliance grant for fiscal year **2023** in the amount of:

DEDR	<u>\$9,990.00</u>
Cash Match	<u>\$2,497.50</u>
In-Kind	<u>\$7,492.50</u>

2. The **Township** Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
Al Ferro, *Mayor*

**ROLL CALL:**

**AYES:** DM/Morris, C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

**CERTIFICATION**

**I, Kathleen Hart, Municipal Clerk** of the Township of Millstone, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township of Millstone Committee on this 16<sup>th</sup> day of February 2022.

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Kathleen Hart, RMC  
Municipal Clerk

**RESOLUTION NO. 22-72**  
**ADOPTION DATE: 02-16-2022**

**RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF SETTLEMENT IN THE MATTER OF LEACH V. MILLSTONE TOWNSHIP**

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

WHEREAS, in connection with the above litigation, a Settlement Agreement dated December 7, 2018 and an Amendment to Settlement Agreement dated November 4, 2020 were entered into between Randall and Susan Leach (hereinafter the “Leaches”), John Mayorek (hereinafter “Mayorek”) and the Township of Millstone regarding maintenance of a Swale located on the Leaches’ and Mayorek’s properties; and

WHEREAS, as provided in the Amendment to Settlement Agreement, the Leaches and Mayorek were required to record a memorandum of the Agreement, or such other document, to provide notice of the obligation to maintain the Swale to all subsequent owners of the Leaches’ and Mayorek’s properties; and

WHEREAS, a Memorandum of Settlement providing notice of the obligation for the Swale to be maintained by all subsequent owners of the Leaches’ and the Mayorek’s properties has been executed by the Leaches and Mayorek and needs to be executed by the Township of Millstone.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the attached Memorandum of Settlement is hereby approved and the Mayor and Township Clerk are hereby authorized to execute the attached Memorandum of Settlement.

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/Morris, C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro  
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 February 16, 2022.

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KATHLEEN HART, RMC  
Municipal Clerk

## **MEMORANDUM OF SETTLEMENT**

**THIS MEMORANDUM OF SETTLEMENT** (hereinafter “MOS”), is made and entered into this \_\_\_\_\_ day of February, 2022, (“Effective Date”), among Randall and Susan Leach (collectively, the “Leaches”), John Mayorek (“Mayorek”) and the Township of Millstone (“Township”). The Township, the Leaches and Mr. Mayorek may be collectively referred to as the “Parties” or individually as a “Party”.

1. The Leaches, Mayorek and the Township are parties to that certain Settlement Agreement dated December 7, 2018 and that certain Amendment to Settlement Agreement dated November 4, 2020 (collectively, the “Agreement”) pertaining to the property owned by the Leaches identified on the tax map for the Township of Millstone, County of Monmouth as Block 23, Lots 14.09 (the “Leach Property”), and the property owned by Mayorek identified on the tax map for the Township of Millstone, County of Monmouth as Block 23, Lots 14.08 (the “Mayorek Property”).

2. Pursuant to the Agreement, the Leaches and Mayorek have stabilized the Swale, as that term is defined in the Agreement, and the Leaches and Mayorek have accepted responsibility to conduct maintenance of the Swale on their respective properties. “Maintenance of the Swale” shall mean the removal of debris and vegetation from the Swale, repair of erosion to the Swale and maintenance of rip rap in the Swale so the Swale continues to operate as a drainage path for the water exiting the Basin, as that term is defined in the Agreement.

3. The Parties have agreed that the obligation to maintain the Swale shall run with the land.

4. All of the terms, covenants and conditions of the Agreement are incorporated herein and made a part hereof. The purpose of this MOS is to give notice of the obligation to maintain the Swale to subsequent owners of the Leach Property and the Mayorek Property; and shall not be construed to vary or otherwise affect the rights or obligations of the parties under the Agreement.

5. The foregoing recitals are hereby incorporated by this reference and are made a part hereof as if fully set forth herein.

6. All of the capitalized terms contained herein which are not defined herein shall have the meaning ascribed to them in the Settlement Agreement.

7. This MOS may be executed in any number of counterparts, each of which shall be deemed an original and all of which together shall comprise but one and the same instrument. Signatures may be delivered by facsimile or email transmission followed by timely delivery of the original of such executed copy.

**[SIGNATURE PAGES FOLLOW]**

IN WITNESS WHEREOF and intending to be legally bound, the undersigned authorized persons do hereby execute this MOS as of the date first written above.

By: 

Name: Randall Leach

STATE OF NEW JERSEY :  
: SS

COUNTY OF MERCER :

On the 10<sup>th</sup> day of February, 2022, before me, the undersigned, a notary public in and for said state personally appeared Randall Leach, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument the individual or the person upon behalf of which the individual acted executed the instrument.

Sworn to and subscribed before me, this

10<sup>th</sup> day of February, 2022



**TAMMY LYNN GRONER**  
**NOTARY PUBLIC OF NEW JERSEY**  
**My Commission Expires 08/06/2022**



By: 

Name: Susan Leach

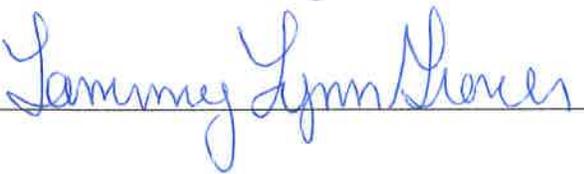
STATE OF NEW JERSEY ;  
: SS

COUNTY OF MERCER :

On the 10<sup>th</sup> day of February, 2022, before me, the undersigned, a notary public in and for said state personally appeared Susan Leach, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument the individual or the person upon behalf of which the individual acted executed the instrument.

Sworn to and subscribed before me, this

10<sup>th</sup> day of February, 2022



**TAMMY LYNN GRONER**  
**NOTARY PUBLIC OF NEW JERSEY**  
**My Commission Expires 08/06/2022**

By: John Mayorek  
Name: John Mayorek

STATE OF NEW JERSEY :  
: SS  
COUNTY OF MERCER :

On the 10<sup>th</sup> day of February, 2022, before me, the undersigned, a notary public in and for said state personally appeared John Mayorek, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument the individual or the person upon behalf of which the individual acted executed the instrument.

Sworn to and subscribed before me, this  
10<sup>th</sup> day of February, 2022

Tammy Lynn Groner

**TAMMY LYNN GRONER**  
**NOTARY PUBLIC OF NEW JERSEY**  
**My Commission Expires 08/06/2022**

**TOWNSHIP OF MILLSTONE**

By: \_\_\_\_\_

Name:

Title:

STATE OF NEW JERSEY :  
: SS.

COUNTY OF \_\_\_\_\_

On the \_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned, a notary public in and for said state personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her capacity and that by his/her signature on the instrument the individual or the person upon behalf of which the individual acted executed the instrument.

Sworn to and subscribed before me, this \_\_\_\_\_

\_\_\_\_\_ day of \_\_\_\_\_, 2022

Name:

Title:

\_\_\_\_\_  
Notary Public of the State of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**RESOLUTION NO. 22-73**  
**MEETING DATE: 02-16-22**

**RESOLUTION OPPOSING CONTINUED EXTENSION OF EXECUTIVE ORDERS BEYOND  
PUBLIC HEALTH EMERGENCY AND SUPPORTING SENATE BILL NO. 1200 LIMITING  
THE GOVERNOR'S UNILATERAL EMERGENCY POWERS**

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

WHEREAS, nearly two years ago, on March 9, 2020, Governor Murphy unilaterally declared a public health emergency by executive order; and

WHEREAS, the Governor's temporary emergency powers at the outset served the purpose of managing the COVID-19 pandemic at the time when the virus was spreading rapidly, vaccines and treatments were unavailable, and our healthcare system was being overwhelmed; and

WHEREAS, despite these conditions subsiding through the development of vaccines, therapies and a better understanding of the science behind the virus, the Governor has unilaterally renewed this Public Health Emergency every 30 days thereafter until June 2021; and

WHEREAS, on June 4, 2021, Governor Murphy signed legislation and an Executive Order ending the Public Health Emergency; and

WHEREAS, at that time, Legislature granted the Governor the authority to continue certain emergency powers with respect to 14 Executive Orders only until January 11, 2022, thereafter, requiring that the Governor request an extension of these powers for up to 90 days; and

WHEREAS, Governor made a request for a 90 day extension of these emergency powers and the Legislature refused to extend the Governor's emergency powers, but the Governor ignored the will of the Legislature and announced on January 12 2022, that he was reinstating a statewide Public Health Emergency, thereby allowing himself the ability to continue statewide mandates without the proper checks and balances required under State Constitution; and

WHEREAS, to date, Governor Murphy has unilaterally issued over 200 Executive Orders relating to the pandemic; and

WHEREAS, on January 31, 2022, Senator Declan O'Scanlon introduced Senate Bill No. 1200, which limits the duration of states of emergency and public health emergencies declared by the Governor to 60 days unless an extension is authorized by the Legislature; and

WHEREAS, Senator Vin Gopal has joined Senator O'Scanlon as a prime sponsor of Senate Bill No. 1200, demonstrating bipartisan agreement that the Governor is abusing his emergency powers without legislative oversight; and

WHEREAS, the Township Committee of the Township of Millstone in the County of Monmouth, State of New Jersey believes that it is well past time to return to the regular order of government in the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone in the County of Monmouth, State of New Jersey that it hereby opposes Governor Murphy' s continuing unilateral declarations of a Public Health Emergency and supports the enactment of Senate Bill No. 1200 to restore legislative oversight of the Governor's emergency powers.

BE IT FURTHER RESOLVED that the Municipal Clerk shall forward certified copies of this Resolution to the Office of the Governor, the members of Monmouth County's Legislative Delegation, the Monmouth County Board of Commissioners, and the New Jersey League of Municipalities.

**ROLL CALL:**

**AYES:** DM/Morris, C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

**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 February 16, 2022.

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Kathleen Hart, RMC  
Municipal Clerk

**RESOLUTION NO. 22-74**  
**ADOPTION DATE: 02-16-2022**

**RESOLUTION AWARDING BID FOR 2021 ROADWAY IMPROVEMENT PROGRAM  
IN THE TOWNSHIP OF MILLSTONE**

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

WHEREAS, on Thursday, February 10, 2022 at 10:00 a.m., the Township Purchasing Agent accepted bids for the 2021 Roadway Improvement Program; and

WHEREAS, the following bids were received:

1. P & A Construction, Inc. - \$1,071,136.94; and
2. Earle Asphalt Company - \$1,115,113.13; and
3. Meco, Inc. - \$1,137,593.75; and
4. S & G Paving & Construction, Inc. - \$1,213,410.65; and
5. PM Construction - \$1,251,790.00; and
6. Capital Paving & Contracting, LLC - \$1,258,171.15; and
7. Z Brothers Concrete Contractors, Inc. - \$1,291,596.37; and
8. Black Rock Enterprises, LLC - \$1,308,142.55; and
9. Lima Charlie Construction - \$1,373,584.00; and
10. S. Brothers Construction - \$1,391,499.50; and
11. Fiore Paving Company, Inc. - \$1,514,198.80; and
12. L & L Paving Company, Inc. - \$1,553,584.00.
13. Fernandes Construction Inc. – No Bid.
14. The Hesse Companies – No Bid.
15. Jads Construction Co. Inc. – No Bid; and

WHEREAS, the Township Engineer and the Township Purchasing Agent have recommended awarding the Contract to the lowest bidder, P & A Construction, Inc., in the amount of \$1,071,136.94; and

WHEREAS, the Township Attorney has determined that the bid of P & A Construction, Inc. is in compliance with the applicable portions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Millstone Road from Stage Coach Road to Sweetmans Lane is partially funded by the New Jersey Department of Transportation, therefore, the Contract is subject to the approval of the New Jersey Department of Transportation Commissioner; and

WHEREAS, the Township Deputy Chief Financial Officer has certified the funds are available in accounts: C-04-55-974-902 and C-04-55-975-901.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone hereby awards a Contract to P & A Construction, Inc. for the 2021 Road Improvement Program in the total amount of \$1,071,136.94, subject to the approval of the New Jersey Department of Transportation Commissioner.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to P & A Construction, Inc., the Township Purchasing Agent, the New Jersey Department of Transportation Commissioner and to the unsuccessful bidders together with the return of their bid security.

ROLL CALL:

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

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 February 16, 2022.

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KATHLEEN HART, RMC  
Municipal Clerk