

RESOLUTION NO. 22-75
MEETING DATE: 03-02-2022

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 **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. Items Falling Under Attorney/Client Privilege
 2. Litigation
 3. Potential Litigation

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on March 2, 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 22-76

SCHEDULE 22-03 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON March 2, 2022

SEE SCHEDULE 22-03 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 22-03 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. 22-76
March 02, 2022

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 22-03, March 02, 2022, Consolidated Bill List, and the vouchers listed below as Schedule 22-03 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: \$ 115,602.02

SCHEDULE 22-03 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 4,801.67

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 0.00

GRANT FUND

TOTAL GRANT FUND \$ 513.91

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 293.00

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 \$ 0.00

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 8,399.16

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 \$ 4,652.00

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 734.84

TOTAL FOR ALL FUNDS \$ 134,996.60

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 0.00

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 0.00

TOTAL FOR ESCROW \$ 0.00

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

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

NAYS: None

ABSTAIN: None

ABSENT: C/Davis

RESOLUTION NO. 22-77
MEETING DATE: 03-02-2022

**RESOLUTION APPOINTING SPECIAL ENVIRONMENTAL COUNSEL AND
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
PROFESSIONAL SERVICES**

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

WHEREAS, the Township of Millstone requires special counsel to perform professional legal services in connection with environmental services; and

WHEREAS, such specialized legal services can only be provided by licensed professionals and Joanne Vos, Esq. of the law firm of Maraziti Falcon, LLP is so recognized; and

WHEREAS, Joanne Vos, Esq. has submitted proposals dated February 8, 2022 and February 10, 2022 to provide special environmental legal services; and

WHEREAS, Maraziti Falcon, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Millstone in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the law firm of Maraziti Falcon, LLP has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c271; and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, for the period of March 2, 2022 through December 31, 2022 for an amount not to exceed \$15,000.00, at an hourly rate of \$235.00 per hour for licensed attorneys and \$90.00 per hour for law clerks; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account 2-01-20-155-127.

NOW THEREFORE, BE IT RESOLVED that the Township of Millstone does hereby authorize the award of a non-fair and open contract for professional services, for the period of March 1, 2022 through December 31, 2022, and appoints Joanne Vos, Esq., of the law firm of Maraziti Falcon, LLP to provide legal services as Special Environmental Counsel, for an amount not to exceed \$15,000.00.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding

as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) because it is for services performed by persons authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk of the Township of Millstone are hereby authorized and directed to execute a professional services contract for the aforesaid services with Maraziti Falcon, LLP and to cause notice of this decision to be published according to N.J.S.A. 40A:11-5 (1)(a)(i).

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 Chief Financial Officer, Township Administrator and Maraziti Falcon, LLP.

ROLL CALL:

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of March 2, 2022.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO. 22-78
MEETING DATE: 03-02-2022

**RESOLUTION AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH
THE PRESERVE NEW JERSEY HISTORIC PRESERVATION FUND
ADMINISTERED BY THE NEW JERSEY HISTORIC TRUST**

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

WHEREAS, the governing body of the Township of Millstone desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey in the amount of \$50,000 for the following project: Clarksburg Methodist Episcopal Church.

NOW, THEREFORE, BE IT RESOLVED BY the Township Committee of the Township of Millstone that the governing body authorizes Kevin Abernethy, Township Administrator to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement.

ROLL CALL:

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

APPROVED: _____
Al Ferro, *Mayor*

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 2nd day of March 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 22-79
ADOPTION DATE: 03-02-2022

RESOLUTION AWARDING CONTRACT FOR 2022 CURBSIDE SPRING CLEANUP AND
RESERVING OPTION FOR YEAR 2

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

WHEREAS, on Tuesday, February 15, 2022 at 1:30 p.m., the Township Purchasing Agent accepted bids for 2022 Curbside Spring Cleanup in the Township of Millstone; and

WHEREAS, the following bid was received:

Central Jersey Waste & Recycling, Inc.	\$44,795.00 plus \$95.00 per ton disposal fee Option for Year 2: \$46,795.00 plus \$98.00 per ton disposal fee; and
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WHEREAS, the Township Purchasing Agent has recommended awarding the Contract to Central Jersey Waste & Recycling, Inc. in the amount of \$44,795.00, plus \$95.00 per ton disposal fee, and reserving the Township's discretion to exercise the option for Year 2 in the amount of \$46,795.00, plus \$98.00 per ton disposal fee; and

WHEREAS, the Township Attorney has determined that the bid of Central Jersey Waste & Recycling, 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, the award of this contract is contingent upon the adoption of the 2022 Township of Millstone budget.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone hereby awards a Contract to Central Jersey Waste & Recycling, Inc. for

the 2022 Curbside Spring Cleanup for the base bid in the amount of \$44,795.00 plus \$95.00 per ton for disposal fee, and further reserving the Township's discretion to exercise the option for Year 2.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Dan Specht, DPW Coordinator; Amanda Salerno, Treasurer and Central Jersey Waste & Recycling, Inc.

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Davis

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of March 2, 2022.

KATHLEEN HART, RMC
Township Clerk

RESOLUTION NO. 22-80
MEETING DATE: 03-02-2022

**RESOLUTION DIRECTING TAX COLLECTOR TO CANCEL
REAL ESTATES TAXES LISTED ON SCHEDULE A**

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

WHEREAS, a certain property has had an assessment change for the year 2022; and

WHEREAS, this property will be exempt from taxes for the year 2022; and

WHEREAS, the following Taxpayer Schedule includes Preliminary Taxes that were billed on said property for 2022 that will be cancelled; and

WHEREAS, the Tax Collector of the Township of Millstone has certified to the Township Committee of the Township of Millstone that the item designated with the word "CANCEL" on Schedule A be cancelled to the name appearing below; and

WHEREAS, the 2022 final/2023 preliminary taxes should also be cancelled in the amount that has been entered in the 2022 Extended Tax Duplicate; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the cancellation be made to the property appearing on Schedule A.

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to make corrections and notations upon the Municipal records as may be necessary to affect this Resolution.

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

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Davis

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of March 2, 2022.

Kathleen Hart, RMC
Township Clerk

SCHEDULE A
2022 PRELIMINARY TAXES – CANCEL

Block 55 Lot 4.17	MIRACLE CENTER INTERNATIONAL, INC 8 JOAN DRIVE MILLSTONE TWP, NJ 08510	\$13,379.60
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TOTAL CANCELLED		<u>\$13,379.60</u>
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RESOLUTION NO: 22-81
MEETING DATE: 03-02-2022

RESOLUTION APPOINTING TEMPORARY BUILDING INSPECTOR

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

WHEREAS, Millstone Township’s Construction Department has a need to fill a temporary position; and

WHEREAS, the Administrator and the Construction Official are in agreement that Robin Witkowski should be offered the position of Temporary Building Inspector at an hourly rate of \$38.00, for a maximum of 16 hours per week.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millstone that Robin Witkowski is appointed the Temporary Building Inspector from February 21, 2022 and ending April 22, 2022.

BE IT 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 – Township Administrator
- (3) Dennis Gibson – Construction Official
- (4) Amanda Salerno – Treasurer
- (5) Robin Witkowski – Building Inspector

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Davis

I HEREBY CERTIFY the foregoing to be a true copy of the resolution adopted by the Millstone Township Committee at its regular meeting of March 2, 2022.

Kathleen Hart, RMC
Township Clerk