

RESOLUTION NO. 22-114
MEETING DATE: 05-18-2022

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/Davis**.

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. Potential Litigation
 3. Property Acquisition

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on May 18, 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO.: 22-115

SCHEDULE 22-05B S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON May 18, 2022

SEE SCHEDULE 22-05B ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 22-05B 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. 22-115
May 18, 2022

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 22-05B, May 18, 2022, Consolidated Bill List, and the vouchers listed below as Schedule 22-05B 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: \$ 683,933.51

SCHEDULE 22-05B S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 5,545.28

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 6,500.00

GRANT FUND

TOTAL GRANT FUND \$ 1,526.92

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 1,484.73

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 87.23

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 2,467.00

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 4,135.88

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 \$ 4,798.10

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 538.04

TOTAL FOR ALL FUNDS \$ 711,016.69

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 8,535.25

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 38,169.75

TOTAL FOR ESCROW \$ 46,705.00

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

NAYS: None

ABSTAIN: None

ABSENT: DM/Morris

RESOLUTION NO: 22-116
MEETING DATE: 05-18-2022

**RESOLUTION AUTHORIZING THE TOWNSHIP OF MILLSTONE TO ENTER INTO
A COOPERATIVE PRICING AGREEMENT**

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

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Camden County Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on May 18, 2022 the governing body of the Township of Millstone, County of Monmouth, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

1. This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Millstone.
2. Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor or Township Administrator is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.
3. The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.
4. This resolution shall take effect immediately upon passage.

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 regular meeting of May 18, 2022.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO. 22-117
MEETING DATE: 05-18-2022

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

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

WHEREAS, a certain property owner has a credit balance on their account; and,

WHEREAS, the following Taxpayer Schedule includes an Overpayment of Taxes; applicable to the block and lot and in the amount set forth; 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 "REFUND" on Schedule A be refunded to the name appearing below;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the refund be made to the taxpayer appearing on Schedule A and the check for the aforesaid refund be issued by the Treasurer;

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 effect this Resolution;

BE IT FURTHER RESOLVED by the Township Committee of the Township of Millstone that the Township Clerk is hereby authorized to forward a certified copy of the within Resolution to the Tax Collector and Treasurer and Township Administrator/CFO.

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 May 18, 2022.

Kathleen Hart, RMC
Township Clerk

SCHEDULE A
2022 OVERPAYMENT OF TAXES – REFUND

Block 49 Lot 19.01	JENKINS, DOLORES 418 STAGE COACH RD MILLSTONE TWP, NJ 08510	\$2,485.81
--------------------	---	------------

TOTAL		<u>\$2,485.81</u>
-------	--	-------------------

TOTAL REFUND \$2,485.81

RESOLUTION NO. 22-118
ADOPTION DATE: 05-18-2022

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR
AVINASH VASHIST D/B/A MILLSTONE RIVER MART, LLC, APPLICATION NO. Z18-07
(FORMERLY PB16-01), BLOCK 59, LOT 11)

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

WHEREAS, the developer of Millstone River Mart (Avinash Vashist d/b/a Millstone River Mart, LLC), Application No. Z18-07 (formerly PB16-01), located at 508 Monmouth Road, requested that certain performance guarantees be reduced due to the completion of certain items required pursuant to the posted performance guarantees; and

WHEREAS, the Township Engineer has, in a letter dated May 11, 2022, a copy of which is annexed hereto as Exhibit "A", recommended the following:

Performance Bond No. 315033, issued by NGM Insurance Company, be reduced to \$7,516.80.

Cash performance guarantee be reduced to \$835.20.

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

1. It hereby authorizes the reduction of performance guarantees in accordance with the recommendation of the Township Engineer conditioned upon the following:

(a) The Developer presenting the Township Clerk with a certification of the Township Treasurer that all inspection fees have been paid in full.

(b) The Developer by accepting the reduction approved herein, agrees to post maintenance bonds for the improvements at such time as required by the Township Engineer, but in no circumstance later than the release of the balance of the performance guarantee.

2. A certified copy of this Resolution shall be provided by the Township Clerk to each of the following:

- (a) Township Engineer
- (b) Township Treasurer
- (c) Township Attorney
- (d) Developer

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 Township Committee of the Township of Millstone at its regular meeting held on May 18, 2022.

KATHLEEN HART, RMC
Township Clerk

LEON S. AVAKIAN, INC. *Consulting Engineers*

788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1953-2004)
PETER R. AVAKIAN, P.E., P.L.S., P.P.
MEHRYAR SHAFAI, P.E., P.P.
GREGORY S. BLASH, P.E., P.P., CPWM
LOUIS J. LOBOSCO, P.E., P.P.
GERALD J. FREDA, P.E., P.P.
JENNIFER C. BEAHM, P.P., AICP
CHRISTINE L. BELL, P.P., AICP
SAMUEL J. AVAKIAN, P.E., P.L.S.

May 11, 2022
Revised May 11, 2022

Kathleen Hart, Township Clerk
Township of Millstone
470 Stage Coach Road
Millstone, NJ 08510

**Re: Bond Reduction
Millstone River Mart (Z18-07)
Block 59, Lot 11
Our File MS 17-13**

Dear Ms. Hart:

On an email dated May 10, 2022, the developer of the above referenced project has requested reduction of the amount of their Performance Guarantee.

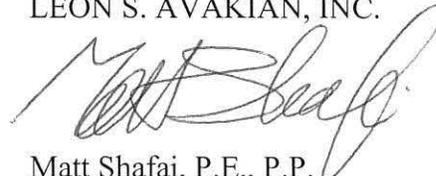
We have completed our inspection of this project and find that the project is substantially complete, but there are some improvements that have not been completed. We, therefore, pursuant to Section 13-5C of the Township Ordinance recommend the Performance Guarantees to be reduced to 30% of the original amounts as follow:

Surety Bond	\$7,516.80
Certified Check	<u>\$ 835.20</u>
Total Guarantee	\$8,352.00

If you have any question regarding this matter, please call our office.

Very truly yours,

LEON S. AVAKIAN, INC.



Matt Shafai, P.E., P.P.
Township Engineer

MS:mfl

cc: Brian Chabarek, Esq., Twp. Attorney
Amanda Salerno, Finance
Avinash Vashisht, Owner

MS/17/17-13a

RESOLUTION NO. 22-119
ADOPTION DATE: 05-18-2022

RESOLUTION AWARDING CONTRACT FOR THE 2022 TRANSPORTATION BUS
SERVICE FOR THE MILLSTONE RECREATION SUMMER CAMP

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

WHEREAS, on Tuesday, May 3, 2022 at 11:00 a.m., the Township Purchasing Agent accepted bids for the 2022 Transportation Bus Service for the Millstone Recreation Summer Camp; and

WHEREAS, the following bid was received:

GST Transport Corp.	Base Bid: \$14,300.00
	Option No. 1: 2 nd Bus, 2 times per week, for a period of 5 weeks: \$6,000.00; and

WHEREAS, the Township Purchasing Agent has recommended awarding the Contract to GST Transport Corp. in the amount of \$14,300.00, which consists of one (1) air-conditioned bus for 24 days of camp to be provided at all times, and reserving the Township's discretion to exercise Option No. 1 which consists of a second air-conditioned bus to be provided two (2) times per week for a period of five (5) weeks in the amount of \$6,000.00; and

WHEREAS, the Township Attorney has determined that the bid of GST Transport Corp. 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 GST Transport Corp. for the 2022 Transportation Bus Service for the Millstone Recreation Summer Camp for the base bid, consisting of one (1) air-conditioned bus for 24 days of camp to be provided at all times, in the amount of \$14,300.00, and further reserving the Township's discretion to exercise Option No. 1 which consists of a second air-conditioned bus to be provided two (2) times per week for a period of five (5) weeks in the amount of \$6,000.00.

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 Purchasing Agent, Township Recreation Coordinator and GST Transport Corp.

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 May 18, 2022.

KATHLEEN HART, RMC
Township Clerk

RESOLUTION NO. 22-120
ADOPTION DATE: 05-18-2022

**RESOLUTION SUPPORTING IMPROVEMENTS TO COUNTY ROUTE 526
(ALLENTOWN-RED VALLEY ROAD/TRENTON-LAKEWOOD ROAD)
BETWEEN SHARON STATION ROAD AND INTERSTATE I-195 IN THE
TOWNSHIPS OF MILLSTONE AND UPPER FREEHOLD**

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

WHEREAS, the County of Monmouth is applying for federal funding under NJTPA's Fiscal Year 2022 Local Safety Program and High Risk Rural Roads Program for the improvements to County Route 526 (Allentown-Red Valley Road/Trenton-Lakewood Road) between Sharon Station Road and Interstate I-195 in the Townships of Millstone and Upper Freehold; and

WHEREAS, the intent of this Project is to address safety concerns along the County Route 526 (Allentown-Red Valley Road/Trenton-Lakewood Road) corridor; and

WHEREAS, the proposed improvements include the construction of a high friction pavement surface along various existing horizontal curves, and the installation of high visibility striping, centerline and edge line rumble strips, new signage, and drainage improvements; and

WHEREAS, these proposed conceptual improvements will enhance side friction at existing horizontal curves and provide positive guidance for vehicles traversing these curves especially during night time, and thereby reduce the potential for single vehicle crashes; and

WHEREAS, additional project improvements will include enhanced signage at several stop-controlled intersections within the corridor; and

WHEREAS, the Township Committee of the Township of Millstone has reviewed the improvement concept plan provided by the Monmouth County Engineer's Office; and

WHEREAS, the Township Committee of the Township of Millstone believes that the planned improvements would benefit motorist safety for the citizens of Millstone Township, Monmouth County, and the general traveling public.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone herein expresses its full support of the County of Monmouth's project for the improvements to County Route 526 (Allentown-Red Valley Road/Trenton-Lakewood Road) between Sharon Station Road and Interstate I-195, and believes it to be vital to improving motorist safety within said project area.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to: Monmouth County Clerk of the Board of County Commissioners and Monmouth County Engineer.

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 May 18, 2022.

KATHLEEN HART, RMC
Township Clerk

RESOLUTION NO. 22-121
MEETING DATE: 05-18-2022

**A RESOLUTION URGING THE NEW JERSEY LEGISLATURE TO AMEND THE
BUDGET CAP LAW TO APPROPRIATE FUNDS FOR INCREASING INSURANCE
COSTS**

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

WHEREAS, pursuant to N.J.S.A. 40A:4-45, et. seq., a municipality is required to limit any increase in its levy to 2.0% and any increase in appropriations to 2 1/2% or the cost-of-living adjustment, whatever is less, over the prior year's final appropriations subject to certain exceptions; and

WHEREAS, all local public entities, including participating municipalities in the Municipal Excess Liability Joint Insurance Fund (MEL), has incurred an estimated \$50 million in COVID related worker's compensation claims and it is anticipated that these costs will continue to increase as a result of long-term COVID cases; and

WHEREAS, a 2021 New Jersey Department of Labor decision regarding worker's compensation funding has generated increased costs to the members of the MEL by over 10% in order to cover claims that were previously funded by the State pension system; and

WHEREAS, a recent amendment to the sexual molestation statute of limitations will increase total liability costs for members of the MEL system by an estimated amount of 6% in 2023; and

WHEREAS, the frequency of weather-related catastrophic claims and corresponding impacts are anticipated to increase property insurance costs by over 10% per year; and

WHEREAS, cyber liability events throughout the country have resulted in twice the amount of premium costs in 2022 and such costs are expected to accelerate at a pace far greater than the rate of inflation; and

WHEREAS, these increasing costs, regulations, policy decisions and environmental impacts are occurring when many other items and costs in municipal budgets are also increasing at an inflationary rate. _

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Millstone that it urges the New Jersey Legislature to amend N.J.S.A. 40A:4-45 to provide that appropriations in the first three years after the effective date of this amendment for liability insurance, worker's compensation insurance, cyber insurance, and property insurance be exempt from the Appropriation CAP and the Levy CAP.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the New Jersey Legislative representative for the Township of Millstone.

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 May 18, 2022.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO. 22-122
ADOPTION DATE: 05-18-2022

RESOLUTION AUTHORIZING PAYMENT TO THE MILLSTONE TOWNSHIP FIRE DISTRICT FOR EMT SERVICES FOR THE CALENDAR YEAR 2022 PURSUANT TO A SHARED SERVICES AGREEMENT AND AUTHORIZING PREPARATION OF AN AMENDED SHARED SERVICES AGREEMENT

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

WHEREAS, by way of Resolution 20-286, duly adopted on August 19, 2020, the Township authorized execution of a Shared Services Agreement for the performance of EMT services to be provided by the Millstone Township Fire District (“Fire District”); and

WHEREAS, the Shared Services Agreement addresses payment for each successive calendar year subsequent to 2021, and allows for negotiation of the payment amount for the services provided for the calendar year 2022; and

WHEREAS, the Township of Millstone and the Fire District have agreed to payment terms for the calendar year 2022 and have agreed to amend the payment of operations costs to exclude fuel expenses; and

WHEREAS, the Township of Millstone and the Fire District have negotiated payment for the calendar year 2022 in the amount of \$200,000, to be divided into one payment of \$100,000 on June 15, 2022 and a second payment of \$100,000 on November 2, 2022; and

WHEREAS, this payment is contingent upon adoption of the 2022 Township of Millstone budget.

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

1. It hereby authorizes payment for the performance of EMT Services to be provided by the Millstone Township Fire District for the calendar year 2022, as follows:

a. \$100,000 to the Millstone Township Fire District on June 15, 2022.

b. \$100,000 to the Millstone Township Fire District on November 2, 2022.

c. In accordance with these payments, operations costs will exclude fuel expenses.

2. These payments are contingent upon the adoption of the 2022 Township of Millstone budget.

3. The Municipal Attorney be and is hereby authorized to prepare an amended Shared Services Agreement between the Township of Millstone and the Millstone Township Fire District reflecting the aforesaid agreed upon terms.

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 Township Committee of the Township of Millstone at its regular meeting held on May 18, 2022.

KATHLEEN HART, RMC
Township Clerk