

RESOLUTION NO. 23-199
MEETING DATE: 10-04-2023

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

DM/Morris 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. Personnel
 2. Items Falling Under Attorney/Client Privilege
 3. 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/Davis, DM/Morris, C/Zabrosky, M/Ferro
NAYS: None
ABSTAIN: None
ABSENT: C/McLaughlin

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on October 4, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-200

SCHEDULE 23-10 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON October 4, 2023

SEE SCHEDULE 23-10 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 23-10 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. 23-200
October 4, 2023

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 23-10, October 4, 2023, Consolidated Bill List, and the vouchers listed below as Schedule 23-10 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: \$ 1,463,373.97

SCHEDULE 23-10 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 6,181.11

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 6,395.00

GRANT FUND

TOTAL GRANT FUND \$ 145.00

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 794.39

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 0.00

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 2,750.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 11,623.46

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 139,863.16

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 \$ 19,559.01

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 245.19

TOTAL FOR ALL FUNDS \$ 1,650,930.29

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 5,584.00

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 16,498.10

TOTAL FOR ESCROW \$ 22,082.10

RESOLUTION WAS OFFERED BY COMMITTEEPERSON 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/Davis, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: C/McLaughlin

RESOLUTION NO: 23-201
MEETING DATE: 10-04-2023

**RESOLUTION DENYING REQUEST FOR RELEASE OF PERFORMANCE
GUARANTEES FOR SILVERSTONE REALTY, LLC
(FORMERLY KEY INVESTMENTS) LOCATED AT 15 BURNT
TAVERN ROAD, BLOCK 57, LOT 14.02, APPLICATION NO. P17-11**

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

WHEREAS, the developer of Application No. PB 17-11, located at 15 Burnt Tavern Road, has requested a release of its performance guarantees; and

WHEREAS, the Township Engineer has conducted an inspection and by letter dated September 15, 2023 (a copy of which is attached hereto as Exhibit "A") recommends that there be no release of the performance guarantees.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the request of the developer of Application No. PB 17-11 for release of performance guarantees is hereby denied based upon the recommendation of the Township Engineer.

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 Treasurer and to the Developer by certified mail, return receipt requested.

ROLL CALL:

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of October 4, 2023.

KATHLEEN HART, RMC
Township Clerk

RESOLUTION NO: 23-202
MEETING DATE: 10-04-2023

**RESOLUTION OF THE TOWNSHIP OF MILLSTONE AUTHORIZING A
PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR
LICENSE NO. 1332-33-003-011 FROM POCKET LICENSE TO PREMISES AT
568 MONMOUTH ROAD**

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

WHEREAS, an application has been filed by Domal Restaurant Corp. for a place-to-place transfer of Plenary Retail Consumption Liquor License No. 1332-33-003-010, from the pocket to a premises located at 568 Monmouth Road; and

WHEREAS, the submitted application form is complete in all respects, the required notices have been published in the newspaper, the transfer fees have been paid, and the license has been properly renewed for the current license term.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone does hereby approve the place-to-place transfer of the aforesaid Plenary Retail Consumption Liquor License #1332-33-003-010 from a pocket license to premises located at 568 Monmouth Road effective October 3, 2023.

BE IT FURTHER RESOLVED, the Township Clerk will hold the license certificate until said premises are completed and, upon completion, the Township Clerk will endorse the license certificate to the new premises located at 568 Monmouth Road, said license to be subject to all its terms and conditions.

BE IT FURTHER RESOLVED, that said license number shall be #1332-33-003-011; and

BE IT FURTHER RESOLVED, that the Township Clerk is hereby authorized to transmit a certified copy of this resolution to the Director of the New Jersey Division of Alcoholic Beverage Control.

ROLL CALL:

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of October 4, 2023.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO. 23-203
MEETING DATE: 10-04-2023

**RESOLUTION DIRECTING TAX COLLECTOR TO REFUND
REAL ESTATES TAXES ON BLOCK 54.01, LOT 17**

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

WHEREAS, pursuant to N.J.S.A. 54:4-3.30 et seq.: L.1948, c.259 as amended, Property Tax Exemption on Dwelling House of Disabled Veteran or Surviving Spouse, Addushkaliz Szumoski is 100% totally and permanently disabled, as declared by the Department of Veterans Affairs; and

WHEREAS, Addushkaliz Szumoski owns 1 Old Noah Hunt Rd, Millstone Township; and

WHEREAS, on February 1, 2023 the Township Committee of the Township of Millstone approved Resolution 23-64 authorizing the Tax Exemption as of January 5, 2023; and

WHEREAS, in the 2023 Extended Tax Duplicate; said property was entered as an Exemption for the entire year of 2023 thus causing a credit of \$160.13 for the taxes paid.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millstone that the Tax Collector is hereby authorized to refund real estate taxes on Block 54.01 Lot 17, 1 Old Noah Hunt Rd, Millstone, NJ in the amount of \$160.13; and

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

ROLL CALL:

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

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of October 4, 2023.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO: 23-204
MEETING DATE: 10-04-2023

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SUPPORTING
A-4729 WHICH REVISES THE METHODS FOR APPRAISALS OF FARMLAND TO
BE ACQUIRED FOR FARMLAND CONSERVATION PURPOSES**

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

WHEREAS, there is currently pending before the New Jersey General Assembly A-4729, sponsored by Assemblyman Alex Sauickie; and

WHEREAS, if adopted, this Bill would establish a new process for the determination of the value of a Development easement to be acquired for farmland preservation purposes by the State Agricultural Development Committee (SADC), a local government unit, or a qualifying tax-exempt, non-profit organization using, in whole or in part, constitutionally dedicated corporate business tax monies deposited into the preserve New Jersey Farmland Preservation Fund; and

WHEREAS, this process would be used in addition to the appraisal processes currently established by State law; and

WHEREAS, this additional Statewide Farmland Preservation formula would continue the partnership between the State of New Jersey and various county governments to preserve farmland in our State; and

WHEREAS, according to the Monmouth County Division of Planning, as of June 2023, the Monmouth County Agricultural Development Board, with the assistance of the State of New Jersey, has preserved 223 farms in Monmouth County, consisting of 15,734 acres; and

WHEREAS, this bill will further promote its greater farmland preservation and strives to retain the hard working and entrepreneurial spirit of farmers who are an integral part of this State and our community; and

WHEREAS, the Township Committee of the Township of Millstone fully supports Assembly Bill 4729 and urges the State Legislature to adopt same and for the Governor to sign into law this legislation to preserve and protect existing farmlands in the State of New Jersey; and

NOW, THEREFORE, BE IT RESOLVED, this 4th day of October, 2023, by the Township Committee of the Township of Millstone in the County of Monmouth, State of New Jersey as follows:

1. The Millstone Township Committee hereby urges the State Legislature to pass Assembly Bill 4729; and

BE IT FURTHER RESOLVED, a copy of this Resolution be forwarded to the following:

1. Phil Murphy, Governor;
2. Tahesha Way, Lt. Governor;
3. 12th District Legislators;
4. Monmouth County Board of County Commissioners;
5. The New Jersey League of Municipalities
6. The Mayor and Governing Body of all municipalities in Monmouth County

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/McLaughlin

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of October 4, 2023.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO.: 23-205
MEETING DATE: 10-04-2023

**RESOLUTION TO ADOPT THE 2023 UPDATE OF THE MILLSTONE TOWNSHIP
EMERGENCY OPERATIONS PLAN (EOP)**

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

WHEREAS, Chapter 222, Public Law 1989 mandates the development and approval of Emergency Operations Plans for all municipalities, counties and the State; and

WHEREAS, an Emergency Operations Plan will allow the Township in correlation with the Millstone Township Office of Emergency Management to better prepare and manage Township wide emergencies; and

WHEREAS, the Township must submit an Emergency Operations Plan to the State Office of Emergency Management for initial review and approval, and will require recertification every two (2) years; and

WHEREAS, the Millstone Township Committee is in receipt of the updated Emergency Operations Plan which was approved by the NJ State Office of Emergency Management and a request by the Millstone Township Office of Emergency Management for formal adoption.

NOW, THEREFORE BE IT RESOLVED by the Millstone Township Committee that the 2023 update of the Millstone Township Emergency Operations Plan be and is hereby adopted.

BE IT FURTHER RESOLVED that the Millstone Township Committee hereby authorizes Millstone Township Mayor Al Ferro or his designee to execute the above referenced agreement and any additional documents on behalf of the Township of Millstone in order to effectuate the full intent and purpose of this resolution.

BE IT FURTHER RESOLVED that the Millstone Township Office of Emergency Management Coordinator is directed to submit the Millstone Township Emergency Operations Plan to the Monmouth County and State Office of Emergency Management as required.

BE IT FURTHER RESOLVED that the above referenced Emergency Operations Plan or any documents associated with the Plan not be disseminated to the public pursuant to the terms of N.J.S.A. 47:1A-1.1, as information contained therein constitutes security operations for Township facilities and the release of such information could be detrimental to Township operations during an emergency.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified true copy of this resolution to the New Jersey State Police Station Commander, Monmouth County Office of Emergency Management, Millstone Township Emergency Management Coordinator, the Township Administrator and the Millstone Township Committee.

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/McLaughlin

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on October 4, 2023.

Kathleen Hart, RMC
Municipal Clerk