

March 17, 2010

TOWNSHIP OF MILLSTONE

MARCH 17, 2010

Deputy Mayor Kinsey calls the meeting to order at 7:06P.M.

ROLL CALL: Mayor Nancy Grbelja – absent, Committeeman Dorfman – present, Committeeman Kinsey – present, Committeeman Kuczinski – present, Committeeman Masci – absent. Also in attendance – Attorney – Duane Davison, Engineer – Matt Shafai, Administrator - James Pickering and Municipal Clerk – Maria Dellasala.

STATEMENT OF NOTICE AS REQUIRED BY P.L. 1975, C231 IS READ.

I HEREBY ANNOUNCE THAT PURSUANT TO THE OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN THE ANNUAL NOTICE OF MEETINGS WHICH WAS MAILED TO THE ASBURY PARK PRESS AND THE MESSENGER PRESS, POSTED ON THE PUBLIC ANNOUNCEMENTS BULLETIN BOARD IN TOWN HALL AND FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON DECEMBER 16, 2009.

RESOLUTION 10-69 AUTHORIZING THE HOLDING OF AN EXECUTIVE SESSION AT, WHICH THE PUBLIC SHALL BE EXCLUDED.

C/Kuczinski offered the following resolution and moved its adoption, which was second by C/Dorfman.

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:

The public shall be excluded for the discussion of any action upon the here in after specified matter.

The general nature of the subject matter to be discussed is as follows:

- Land Acquisition
- Personnel
- Contracts
- Items falling under the Attorney/Client Privilege

It is anticipated at this time that the above stated subject matter will be made public in approximately six months or when any litigation discussed is resolved. This resolution will take effect immediately.

VOTE:

AYES: C/Dorfman, C/Kuczinski, DM/Kinsey

NAYS: None

ABSTAIN: None

ABSENT: C/Masci, M/Grbelja

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Executive session began 7:08p.m

Motion to adjourn executive session and go back in at end of meeting Moved DM/Kinsey,
Second C/Kuczinski. ©

Time Out 8:24pm.

DEPUTY MAYOR KINSEY CALLS THE REGULAR MEETING TO ORDER AT 8:26P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.

MAYOR'S APPOINTMENT TO THE MILLSTONE TOWNSHIP SHADE TREE COMMISSION

DM/Kinsey appoints the following person to serve as members on the Millstone Township Shade Tree Commission.

BE IT FURTHER RESOLVED that Peggy Fernes is hereby appointed as a member of the Millstone Township Shade Tree Commission, to fulfill the unexpired of Diane Bongo, term expires December 31, 2010.

BE IT FURTHER RESOLVED that a copy of this appointment be forwarded to the Millstone Township Shade Tree Commission and to the appointee.

CORRESPONDENCE:

1. Letter received from Senator. Beck, Assemblywoman Casagrande and Assemblyman O'Scanlon advising they will be setting up a meeting with the Department of Transportation Acting Commissioner Jim Simpson bringing to his attention DOT projects within the 12th. District.

ENGINEER'S REPORT:

- Our 2009 DOT funded project, Baird Road Improvements Phase 2, is complete; we are processing for final payment to the contractor and reimbursement from NJDOT.
- Our 2010 DOT funded project is Conover Road, Phase I, and it appears that we will apply for additional funding for the second phase of this project and improve the entire road in one contract in 2011.
- The winter and all the rain caused serious damages to some of our roads and revealed some drainage issues in various locations. If the budget allows and funding is available; we have at least eight (8) roads that need improvements.

ORDINANCES

ORDINANCE #10-06

SECOND READING Ordinance amending Chapter 39, "Salaries" of the Revised General Ordinances of the Township Of Millstone by fixing salaries of the Township officials and employees for 2010; in the Township of Millstone, County of Monmouth, State of New Jersey.

EXPLANATORY STATEMENT: This Ordinance fixes salaries for Township Officials and Employees for 2010.

Affidavit of publication presented.

Deputy Mayor Kinsey opens the public hearing at 8:30 p.m.

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No Public Comment.

Deputy Mayor Kinsey closes the public hearing at 8:30 p.m.

Motion to adopt on second reading, Moved C/Dorfman, Second C/Kuczinski.

Committee Discussion: None

VOTE:

AYES: C/Kuczinski, C/Dorfman, DM/Kinsey

NAYS: None

ABSTAIN: None

ABSENT: C/Masci, M/Grbelja

ORDINANCE 10-07

FIRST READING AN ORDINANCE AMENDING CHAPTER V (FEES), SECTION 5-9 FEES FOR CHAPTER IX: ANIMAL CONTROL, SUB-SECTION 9-1.2b DOG LICENSE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.

EXPLANATORY STATEMENT: This Ordinance amends the dog license late fee.

Motion to adopt on first reading and authorize publication of same,

Moved C/Kuczinski, Second C/Dorfman.

Committee Discussion: Fees are being reduced.

VOTE:

AYES: C/Dorfman, C/Kuczinski, DM/Kinsey

NAYS: None

ABSTAIN: None

ABSENT: C/Masci, M/Grbelja

Second reading and Public Hearing to be held on April 21, 2010 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

ORDINANCE 10-08

FIRST READING AN ORDINANCE AMENDING CHAPTER III (POLICE REGULATIONS), SECTION 3-9 (PEACE AND GOOD ORDER) BY ADDING A NEW SUBSECTION 3-9.9 (FIGHTING OR OTHER BRAWLING) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

EXPLANATORY STATEMENT: This Ordinance hereby adds fighting or other brawling in the Township to be deemed a disorderly persons offense.

Motion to adopt on first reading and authorize publication of same,

Moved C/Dorfman, Second DM/Kinsey.

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Committee Discussion: Prosecutor Richard Kelly has requested to Jim Pickering that we amend existing ordinance to help him do his job, he will now be able to downgrade to local ordinance.

VOTE:

AYES: C/Dorfman, C/Kuczinski, DM/Kinsey

NAYS: None

ABSTAIN: None

ABSENT: C/Masci, M/Grbelja

Second reading and Public Hearing to be held on April 21, 2010 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

ORDINANCE 10-09

FIRST READING ORDINANCE AMENDING CHAPTER V, (FEES), SECTION 5-2 (FEES FOR CHAPTER II: ADMINISTRATION), SUB-SECTION B; OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

EXPLANATORY STATEMENT: This Ordinance adds the fee for certified copies of civil union certificates and for additional copies of birth certificates, marriage certificates, death certificates, domestic partnership certificates and civil union certificates.

Motion to adopt/table on first reading and authorize publication of same,

Moved C/Kuczinski, Second C/Dorfman.

Committee Discussion:

VOTE:

AYES: C/Kuczinski, C/Dorfman, DM/Kinsey

NAYS: None

ABSTAIN: None

ABSENT: C/Masci, M/Grbelja

Second reading and Public Hearing to be held on April 21, 2010 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

RESOLUTIONS: CONSENT RESOLUTION POSTED ON BULLETIN BOARD.
ALL MATTERS LISTED UNDER ITEM "CONSENT AGENDA" ARE CONSIDERED ROUTINE BY THE TOWNSHIP COMMITTEE AND WILL BE ENACTED BY ONE (1) MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS, IF DISCUSSION IS DESIRED OF ANY ITEM, THAT ITEM WILL BE CONSIDERED SEPARATELY.

10-70 Payment of vouchers.

10-71 Resolution opposing Legislation amending the Time of Decision Rule.

10-72 Resolution amending resolution No. 10-52 declaring default of NJY

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Builders, Inc., Subdivision No. P02-18 and authorizing institution of litigation for Block 50, Lots 24 and 24.01.

10-73 Resolution to adopt Temporary Emergency Appropriations #3.

10-74 Resolution of the Township of Millstone to an approve and endorse Open Farm Market at the Municipal Building 470 Stagecoach Road, Millstone Twp.

10-75 Resolution awarding the lease of farmland on Block 52, Lot 13.

Motion to adopt, Moved C/Dorfman, Second C/Kuczinski.

Committee Discussion: On resolution 10-74 we are still waiting to hear about the poles, both Matt Shafai and Jim Pickering went out and looked at the site.

DM/Kinsey would like a cost estimate to go across the road.

VOTE:

AYES: C/Dorfman, C/Kuczinski, DM/Kinsey

NAYS: None

ABSTAIN: None

ABSENT: C/Masci, M/Grbelja

REPORTS FROM VARIOUS DEPARTMENTS FOR FEBRUARY 2010:

Tax Collector	\$6,785,040.64
Clerks report	\$ 368.75
Dog License	\$ 1,819.00
Recreation	\$ 7,895.00
Building Department	\$ 7,622.00
COAH	\$ 0.00
Municipal Court	\$ 32,215.75
Department of Public Works Fuel Usage	
Open Space BAN Sale – March 9, 2010	
2010 Interest Revenue	
Zoning/Code/Fire Enforcement January & February 2010	

Motion to file, Moved DM/Kinsey, Second C/Kuczinski. ©

PRIVILEGE OF THE FLOOR:

Deputy Mayor Kinsey opens the meeting to the public at 8:40 p.m.

No Public Comment

Deputy Mayor Kinsey closes the meeting to the public at 8:40 p.m.

DM/Kinsey wishes everyone a Happy St. Patrick's Day and states we will be going back into executive session and will be passing one more resolution for a Construction Official.

C/Kuczinski motions to go back into executive session, Second C/Dorfman. ©.

Time In: 8:50pm

Motion to adjourn executive session, Moved C/Dorfman, Second C/Kuczinski. ©

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Time Out 9:38pm.

10-76 Resolution appointing Michael Martin Construction Official.

Motion to adopt, Moved C/Kuczinski, Second C/Dorfman.

Committee Discussion: None

VOTE:

AYES: C/Kuczinski, C/Dorfman, DM/Kinsey

NAYS: None

ABSTAIN: None

ABSENT: C/Masci, M/Grbelja

Motion to adjourn, Moved C/Kuczinski, Second C/Dorfman. © Time Out 9:40 p.m.

Tapes of the meeting are available in the Municipal Clerk's Office.