

September 21, 2011

TOWNSHIP OF MILLSTONE

SEPTEMBER 21, 2011

AGENDA

Mayor Grbelja calls the meeting to order at 7:08P.M.

ROLL CALL: Mayor Nancy Grbelja – present, Committeeman Dorfman – present, Committeeman Kinsey – present, Committeeman Kuczinski – present, Committeeman Masci – present. Also in attendance – Attorney – Duane Davison, Engineer – Matt Shafai 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 15, 2010.

RESOLUTION 11-161A AUTHORIZING THE HOLDING OF AN EXECUTIVE SESSION AT, WHICH THE PUBLIC SHALL BE EXCLUDED

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

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:
 - Contracts
 - Personnel
 - Items falling under the Attorney/Client PrivilegeIt 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.

VOTE

AYES: C/Dorfman, C/Kinsey, C/Kuczinski, C/Masci, M/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: None

September 21, 2011

Motion to adjourn executive session, Moved C/Masci, Second C/Dorfman. ©
Time In 7:10p.m., Time Out 7:49p.m.

MAYOR GRBELJA CALLS THE REGULAR MEETING TO ORDER AT 8:00 P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.

ENGINEER'S REPORT:

The following is the status of the remaining and proposed projects for your use and comments.

1. **Conover Road**
This NJDOT funded project was completed in early July. We are waiting on the State's final inspection before closing out this project.
2. **Rocky Brook Tennis & Basketball Courts**
Work on Rocky Brook courts were completed in mid July; waiting on some repair work at Abate Park before closing out this project.
3. **Disbrow Hill Road**
We are in the process of signing an interlocal agreement with Monore Township. The project agreement has been delayed due to the Hurricane Irene damages in Monroe Township.
4. **Battleground Road**
 - The north portion of this road will be partially paved by the Rosemont Farm subdivision.
 - The midsection of the road, which is the worst section, has been designed, and we are looking to get help from Manalapan Township paving crew to resurface that portion.
 - The southerly end is also in need of repairs & resurfacing. There is no plan to improve this section at this time.
5. **Schoolhouse Road**
2012 NJDOT grant applications for improvements to this roadway has been prepared & submitted to the State.
6. **Brookside Road**
Brookside Road was severely damaged by Hurricane Irene. A separate application is being submitted to NJDOT for a grant to improve this road.
7. **Hurricane Irene**
Besides Brookside Road, the following roadways were also damaged by Hurricane Irene.
 - a. Alpine Drive, Cedar Court & Lakeview Drive
 - b. Backbone Hill Road & Stillhouse Road intersection
 - c. Clarksburg Road
 - d. Schoolhouse Road
 - e. Prodlin Way
 - f. Stillhouse Road
 - g. Pine Hill Road
 - h. Parkside Road
 - i. Agress Road

September 21, 2011

A majority of the damages were along the edges of pavement & erosions that have caused blockages in our drainage pipes & basins. The overall cost to repair the damages is estimated to be \$300,000.

In some areas concrete curbing and/or drainage will be installed to eliminate future erosions.

ORDINANCES

ORDINANCE 11-17

SECOND READING **ORDINANCE AUTHORIZING PURCHASE OF PROPERTY, BLOCK 24.04, LOT 6.**

EXPLANATORY STATEMENT: This Ordinance provides for the purchase by the Township of Millstone of property known as Block 24.04, Lot 6 from Karl G. Wagner, Jr. (Baird/Wagner farm property) with the condition that financial assistance for purchase of the property is received by the Township from the State of New Jersey, Department of Environmental Protection, Green Acres Program, the County of Monmouth, and the Monmouth Conservation Foundation in the amounts set forth above.

Affidavit of publication presented.

Mayor Grbelja opens the public hearing at 8:04 p.m.

1. Rich Anderson – Huneke Way – Mr. Anderson questions the cost of the property, what the purpose of purchasing this property and how the purchase is being funded. The committee explain why this property was chosen, what it will be used or and how it will be funded.
2. Pat Butch – Prodelin Way – Open Space Chairwoman – Explains the procedure for purchasing the property with Green Acres, Monmouth County and Monmouth Conservation Foundation and the balance from the Open Space Trust.
3. Frank Curcio – Young Terrace – States that all interested parties all agreed on the purchase price.

Mayor Grbelja closes the public hearing at 8:45 p.m.

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

Committee Discussion: None

VOTE:

AYES: C/Kinsey, C/Kuczinski, C/Masci, C/Dorfman, M/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: None

ORDINANCE 11-18

FIRST READING **AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXXV "LAND USE AND DEVELOPMENT REGULATIONS" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, BY AMENDING SECTION 4-9.3, "HEIGHT RESTRICTIONS", BY ADDING A NEW 4-9.11, "BUILDING SIZE RESTRICTIONS", AND BY**

September 21, 2011

AMENDING SECTION 4-9.8, "SOLAR COLLECTORS", IN ARTICLE 4, "REGULATIONS APPLICABLE TO ALL ZONING DISTRICTS", AND SECTION 5-13.1, "PERMITTED PRINCIPAL USES" IN THE "BP" BUSINESS PARK ZONE, IN ARTICLE 5, "ZONING DISTRICT REGULATIONS", IN ORDER TO PROVIDE REGULATIONS FOR "WIND, SOLAR & PHOTOVOLTAIC ENERGY FACILITIES" WITHIN MILLSTONE TOWNSHIP

EXPLANATORY STATEMENT: This ordinance proposes Wind, Solar & Photovoltaic Energy Facilities" to promote the safe, effective and efficient use of solar and small wind energy systems to reduce the on-site consumption of utility-supplied electricity.

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

Moved C/Dorfman, Second C/Masci.

Committee Discussion: C/Kinsey just wants to make sure that all comments from other departments were relayed to Rich Coppola and have been incorporated into the ordinance.

VOTE:

AYES: C/Kuczinski, C/Masci, C/Dorfman, C/Kinsey, M/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: None

Second reading and Public Hearing to be held on October 19, 2011 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.

- 11-162 Payment of Vouchers
- 11-163 Resolution Authorizing the Execution of a Developer's Agreement for Seasonal World, Inc., Block 57.01, Lot 21.01, Site Plan #Z11-02
- 11-164 Resolution Authorizing Acceptance of the Replacement Performance Guarantees for Block, 18, Lot 2.02, XXXIII Associates Riverside Center.
- 11-165 Resolution Authorizing Acceptance of Replacement Performance Bond for Riverbrook Estates, Subdivision No. P03-24, Block 23, Lot 25.
- 11-166 Resolution Approval to submit a Grant Application and execute a Grant Agreement with the New Jersey Department of Transportation for "Improvements to Schoolhouse Road".
- 11-167 Resolution Approval to submit a Grant Application and execute a Grant

September 21, 2011

Agreement with the New Jersey Department of Transportation for
“Repairs to Brookside Road”.

11-168 Resolution Supporting the Panhandle Region Plan

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

Committee Discussion: None

VOTE:

AYES: C/Masci, C/Dorfman, C/Kinsey (11-162, 164-168, C/Kuczinski,
M/Grbelja

NAYS: C/Kinsey (11-163)

ABSTAIN: None

ABSENT: None

REPORTS FROM VARIOUS DEPARTMENTS FOR AUGUST 2011:

Tax Collector	\$ 10,041,850.26
Clerks report	\$ 528.20
Dog License	\$ 279.00
Recreation	\$ 22,393.00
Building Department	\$ 17,547.00
COAH	\$ 434.00
Municipal Court	\$ 31,125.50
2011 Interest Revenue	

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

APPLICATION FOR COMMERCIAL SOLICITATION LICENSE:

Robert Wayne Shipley (Veteran Status) (Carolina Furniture Sales) requesting a Commercial Solicitation License for door to door sales through residential/commercial areas between the hours of 9:00AM – 8:30PM for the remainder of 2011.

Motion to approve, Moved C/Kuczinski, Second C/Masci. © C/Dorfman oppose

OLD BUSINESS:

- Bicycle Safety – Committee discusses rules and regulations that should be followed by bicyclists traveling through the township.

PRIVILEGE OF THE FLOOR:

Mayor Grbelja opens the meeting to the public at 9:06 p.m.

1. Ryan Ramsay – Fountain Lane – and Barry Hogan – Deer Trail – explain to the committee that they are part of APAC, which is a new political group formed at Allentown High School – they came to see first hand how problems are solved. They would like to get more involved in the township and will be attending Planning Board, Zoning Board, Environmental Commission and Committee

September 21, 2011

meeting on a regular basis. The committee explains to the young men what is done here at the committee level and what is done by other boards and commissions. They let them know that being here tonight is a good first step. Mayor Grbelja closes the meeting to the public at 9:16 p.m.

C/Kinsey states he would like to follow up from the previous meeting regarding the Township Administrator. C/Kinsey would like to terminate the Township Administrator and all posts he holds and would like to know if anyone else is in favor of this action, C/Masci supports C/Kinsey as does C/Dorfman.

Resolution 11-169 Taking personnel action
Motion to adopt, Moved C/Kinsey, Second C/Dorfman.
Committee Discussion: None

VOTE:

AYES: C/Dorfman, C/Kinsey, C/Kuczinski, C/Masci, M/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: None

Motion to adjourn, Moved C/Kinsey, Second C/Masci. © Time Out 9:21p.m.

Tapes of the meeting are available in the Municipal Clerks Office.

September 21, 2011 minutes approved at a Township Committee meeting held on December 7, 2011.

Maria Dellasala, RMC