

RESOLUTION NO. 19-147
MEETING DATE: 07-03-19

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

DM/Grbelja 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:

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. Contracts
 2. Personnel

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/Dorfman, C/Ferro, DM/Grbelja, C/Kuczinski, M/Masci
NAYS: None
ABSTAIN: None
ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

RESOLUTION NO. 19-148

SCHEDULE 19-07 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON July 3, 2019

SEE SCHEDULE 19-07 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 19-07 attached.

Fiore Masci, Mayor

Nancy Grbelja, Deputy Mayor

Gary Dorfman, Committeeman

Albert Ferro, Committeeman

Michael Kuczinski, Committeeman

Attest: _____
Kathleen Hart
Deputy Municipal Clerk

TOWNSHIP OF MILLSTONE
RESOLUTION NO. 19-148
July 3, 2019

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 19-07, July 3, 2019, Consolidated Bill List, and the vouchers listed below as Schedule 19-07 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: \$ 167,352.96

SCHEDULE 19-07 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 4,643.26

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 213,814.01

GRANT FUND

TOTAL GRANT FUND \$ 2,957.91

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 1,936.72

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 224.82

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 3,723.00

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 118,785.00

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 \$ 10,825.51

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 437.75

TOTAL FOR ALL FUNDS \$ 524,700.94

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 5,915.00

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 1,200.00

TOTAL FOR ESCROW \$ 7,115.00

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

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci

NAYS: None

ABSTAIN: None

ABSENT: None

**RESOLUTION NO. 19-149
MEETING DATE: 07-03-19**

**RESOLUTION AMENDS RESOLUTION 19-69 APPOINTING PROFESSIONAL
- LABOR COUNSEL FOR 2019**

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

WHEREAS, by Resolution 19-69, the Township Committee appointed Brian Chabarek, Esq., Davison, Eastman, Munoz, Lederman & Paone P.A. as Labor Counsel for 2019 with a contract price not to exceed \$10,000.00; and

WHEREAS, as of June 14, 2019 there is a need to increase the contract price to not to exceed \$20,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the aforementioned Resolution No. 19-69 is amended to authorize the increase in the contract price to not to exceed \$20,000.00.

BE IT FURTHER RESOLVED that all other provisions of Resolution 19-69 are hereby readopted.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chief Financial Officer and the appointee.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci

NAYS: None

ABSTAIN: None

ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

RESOLUTION NO. 19-150
MEETING DATE: 07-03-19

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

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

WHEREAS, a certain property has had an assessment change for the year 2019;

WHEREAS, this properties will be exempt from taxes for the year 2019;

WHEREAS, the following Taxpayer Schedule includes Preliminary Taxes that were billed on said property for 2019 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

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 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, the Chief Financial Officer, and the Monmouth County Board of Taxation.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci
NAYS: None
ABSTAIN: None
ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

SCHEDULE A
2019 PRELIMINARY TAXES – CANCEL

Block 59 Lot 9.01	TOWNSHIP OF MILLSTONE 28 BURNT TAVERN ROAD MILLSTONE TWP, NJ 08510	\$3,567.61
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TOTAL CANCELLED		\$3,567.61
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RESOLUTION NO. 19-151
MEETING DATE: 07-03-19

**RESOLUTION DIRECTING TAX COLLECTOR TO CANCEL
REAL ESTATES TAXES ON BLOCK 13, LOT 1.08**

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

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, Carl Rothchild is 100% totally and permanently disabled, as declared by the Department of Veterans Affairs; and

WHEREAS, taxes should be cancelled as of April 12, 2019 in the amount of \$750.72, pursuant to the above provision; and

WHEREAS, 2019 final/2020 preliminary taxes should also be cancelled in the amount that will be entered in the 2019 Extended Tax Duplicate; and

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millstone that the Tax Collector is hereby authorized to cancel real estate taxes on Block 13, Lot 1.08, 748 Perrineville Road, Millstone, NJ; 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 Chief Financial Officer, and the Monmouth County Board of Taxation.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci
NAYS: None
ABSTAIN: None
ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

RESOLUTION NO. 19-152
MEETING DATE: 07-03-19

**RESOLUTION AUTHORIZING EXECUTION OF RELEASE OF
DEVELOPER'S AGREEMENT FOR THE SUMMIT AT MILLSTONE,
SECTIONS 1A, 1B AND 2, SUBDIVISION NO. 89-1**

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

WHEREAS, Millstone Investors Corp. entered into two Developer's Agreements, both dated April 2, 1997 as a portion of the performance guarantee for improvements to be made on all or a portion of real estate known as Block 17, Lot 26.01 and known as The Summit at Millstone, Sections 1A, 1B and 2, Subdivision No. 89-1; and

WHEREAS, the Developer's Agreement for Sections 1A and 1B was recorded in the Monmouth County Clerk's office on April 15, 1997 in Book DB 5591, page 543; and

WHEREAS, the Developer's Agreement for Section 2 was recorded in the Monmouth County Clerk's office on April 15, 1997 in Book DB 5591, page 565; and

WHEREAS, Millstone Investors Corp. assigned the Developer's Agreements to Plumblin Builders, LLC and an Assignment was recorded in the Monmouth County Clerk's office on July 20, 1999 in Book DB 5841, Page 266; and

WHEREAS, all of the requirements under the Developer's Agreement have been completed and the maintenance period has expired; and

WHEREAS, the Township is agreeable to release the Developer's Agreements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Millstone that the Mayor is hereby authorized to execute and the Township Clerk to attest the two attached Releases of Developer's Agreement between the Township of Millstone and Plumblin Builders, LLC.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk or Deputy Township Clerk to be a true copy be forwarded to the Township Engineer, Township Planning Board, Township Attorney and Kenneth L. Pape, Esq., Heilbrunn Pape, 516 State Route 33, Millstone, New Jersey, 08535.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci

NAYS: None

ABSTAIN: None

ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

RESOLUTION NO. 19-153
MEETING DATE: 07-03-19

RESOLUTION APPOINTING ELECTRICAL SUBCODE OFFICIAL

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

BE IT RESOLVED by the Township Committee of the Township of Millstone that Matthew Pressey is hereby appointed Electrical Sub-Code Official for a four year term commencing July 8, 2019 and ending December 8, 2023 at a salary of \$3,951.00 for the Township of Millstone.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Deputy Municipal Clerk to be a true copy shall be forwarded to each of the following:

- (1) New Jersey Department of Community Affairs
- (2) Matthew Pressey – Electrical Sub-Code Official
- (3) Construction Code Official
- (3) Annette Murphy - Township's Chief Financial Officer
- (4) Roger K. Staib – Business Administrator

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci
NAYS: None
ABSENT: None
ABSTAIN: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

RESOLUTION NO. 19-154
MEETING DATE: 07-03-19

RESOLUTION APPOINTING ELECTRICAL INSPECTOR

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

WHEREAS, there is an opening within the Construction Department for an Electrical Inspector of the Township; and

WHEREAS, the Township Committee has reviewed the position for which appointment is necessary.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millstone that Matthew Pressey is hereby appointed Electrical Inspector at a salary of \$29,549.00, term expires December 31, 2019.

BE IT FURTHER RESOLVED that the appointments made hereby is effective July 8, 2019.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Deputy Municipal Clerk to be a true copy shall be forwarded to each of the following:

- (1) Matthew Pressey – Electrical Inspector
- (2) Construction Code Official
- (3) Annette Murphy - Township's Chief Financial Officer
- (4) Roger K. Staib – Business Administrator

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci

NAYS: None

ABSENT: None

ABSTAIN: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

RESOLUTION NO. 19-155
MEETING DATE: 07-03-19

RESOLUTION APPOINTING CONSTRUCTION OFFICIAL

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

WHEREAS, the Construction Official, Dennis Gibson has submitted his resignation letter for Construction Official effective July 8, 2019; and

WHEREAS, the need exists for a Construction Code Official pursuant to UCC 52:27d-126 Appointment of Construction Official, Sub Code Officials.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Millstone that Matthew Pressey is hereby appointed as Construction Official, term beginning July 8, 2019 at a salary of \$33,500.00 yearly.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chief Financial Officer, the Township Administrator, the Department of Community Affairs and the appointee.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci
NAYS: None
ABSTAIN: None
ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

**RESOLUTION NO. 19-156
MEETING DATE 07-03-18**

**RESOLUTION NAMING TEMPORARY BUILDING SUB-CODE
OFFICIAL/INSPECTOR**

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

WHEREAS, Robert Scott D'Amico submitted his resignation letter, effective July 2, 2019 for Building Sub-Code Official/Inspector; and

WHEREAS, Robert Scott D'Amico has offered to continue as a temporary employee, on an as-needed basis, for Building Sub-Code Official/Inspector at an hourly rate of \$41.0256.

BE IT RESOLVED by the Mayor and Committee members of the Township of Millstone that Robert Scott D'Amico will continue in the capacity of Temporary Building Sub-Code Official/Inspector of Millstone Township, commencing July 2, 2019 and ending on September 2, 2019.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Construction Official, Roger K. Staib, Business Administrator, Annette Murphy, CFO, Robert Scott D'Amico.

ROLL VOTE:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci
NAYS: None
ABSTAIN: None
ABSENT: None

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 meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

RESOLUTION NO. 19-157
MEETING DATE: 07-03-19

RESOLUTION APPOINTING SEASONAL CLEAN COMMUNITIES EMPLOYEE –
TIMOTHY MASTROMARINO

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

WHEREAS, Millstone Township’s Clean Communities Program allows for the hiring of seasonal employees;

WHEREAS, the Administrator, the Clean Communities Coordinator and the DPW Coordinator are in agreement that Timothy Mastromarino be offered this seasonal position at a rate of \$11.00 an hour for a maximum of 28 hour work week.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millstone that Timothy Mastromarino is appointed as a Seasonal Clean Communities Employee effective July 1, 2019.

BE IT FURTHER 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) Lori Maher, Clean Communities Coordinator
- (2) Dan Specht, DPW Coordinator
- (3) Annette Murphy - Chief Financial Officer
- (4) Roger Staib – Business Administrator
- (5) Timothy Mastromarino

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci

NAYS: None

ABSTAIN: None

ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

**RESOLUTION NO. 19-158
MEETING DATE: 07-03-19**

**RESOLUTION APPOINTING SEASONAL CLEAN COMMUNITIES EMPLOYEE –
ALDEN LITTLEFIELD**

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

WHEREAS, Millstone Township’s Clean Communities Program allows for the hiring of seasonal employees;

WHEREAS, the Administrator, the Clean Communities Coordinator and the DPW Coordinator are in agreement that Alden Littlefield be offered this seasonal position at a rate of \$11.00 an hour for a maximum of 28 hour work week.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millstone that Alden Littlefield is appointed as a Seasonal Clean Communities Employee effective June 27, 2019.

BE IT FURTHER 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) Lori Maher, Clean Communities Coordinator
- (2) Dan Specht, DPW Coordinator
- (3) Annette Murphy - Chief Financial Officer
- (4) Roger Staib – Business Administrator
- (5) Alden Littlefield

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci

NAYS: None

ABSTAIN: None

ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

RESOLUTION NO.: 19-159
ADOPTION DATE: 07-03-19

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN
MILLSTONE TOWNSHIP AND MILLSTONE TOWNSHIP BOARD OF EDUCATION
FOR MAINTENANCE SERVICES FOR HVAC AND ELECTRICAL**

DM/Grbelja offered the following Resolution and moved its adoption which was second by **C/Ferro**.

WHEREAS, Millstone Township has the need for maintenance services inclusive of HVAC and Electrical to be provided to various facilities owned by the Township; and

WHEREAS, the Millstone Township Board of Education wishes to assist and cooperate with the Township to meet this need; and

WHEREAS, Millstone Township and the Millstone Township Board of Education have agreed to enter into a Shared Services Agreement pursuant to N.J.S.A. 40A:65-1 et. seq.; and

WHEREAS, the form of Agreement to be entered into is on file in the Township Clerk's office and may be inspected by members of the public during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Mayor and Township Clerk are hereby authorized to execute a Shared Services Agreement for maintenance services inclusive of HVAC and electrical to be provided to various facilities owned by the Township from July 1, 2019 through June 30, 2020.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy be forwarded to the Millstone Township Board of Education, Annette Murphy, Millstone Township Chief Financial Officer and to the New Jersey Department of Community Affairs, Division of Local Government Services.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci

NAYS: None

ABSTAIN: None

ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC, RMC
Deputy Municipal Clerk

RESOLUTION NO. 19-160
MEETING DATE: 07-03-19

RESOLUTION APPOINTING TECHNICAL ASSISTANT

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

WHEREAS, in recognition of the Uniform Construction Technical Assistant Certificate earned by Donna Arbia; and

WHEREAS, the Mayor and Township Committee of the Township of Millstone desire to recognize Donna Arbia for her professional contributions to the Construction Department.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone, that Donna Arbia is hereby appointed to the position of Technical Assistant effective July 1, 2019 at an annual salary of \$29,300 (prorated for the year 2019).

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

1. Matthew Pressey, Construction Official
2. Annette Murphy, Chief Financial Officer
3. Roger K. Staib, Business Administrator
4. Donna Arbia

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci
NAYS: None
ABSTAIN: None
ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Municipal Clerk

RESOLUTION NO. 19-161
MEETING DATE: 07-03-19

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING AND AN EXTENSION OF THE CURRENT MINING PERMIT FOR BUCK MINING AND MATERIALS, INC., BLOCK 28, LOTS 11 & 13.01

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

WHEREAS, Buck Mining and Materials, Inc (“Buck”) is the owner of a surface mine property, Block 28, Lots 11 and 13.01 (“Property”) located within the Township; and

WHEREAS, the Township has supported the preservation of the Buck surface mine for public park and recreation purposes by the County of Monmouth; and

WHEREAS, Buck has expressed an interest in the preservation of its property in a letter to Robert F. Muñoz, Esq., the Township Attorney, dated May 13, 2019 (a copy of which is attached hereto as Exhibit “A”), from William and Lesley Stone outlining a plan to prepare the Property for preservation; and

WHEREAS, the Township and Buck desire to outline the mutual expectations and requirements in this Memorandum of Understanding (“MOU”) to accomplish preservation of the Property and preparation for same to become a public park, a copy of which is attached hereto.

WHEREAS, the MOU has been reviewed and approved by the Township’s Mine Engineer and the Township’s Mine Engineer has approved the terms and conditions of the work to be performed; and

WHEREAS, it is the recommendation of the Township Mining Engineer that the current mining permit of Buck Mining and Materials, Inc. be extended as set forth in the MOU.

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

1. The Mayor and Deputy Clerk be and are hereby authorized to execute and deliver the attached MOU.
2. The current mining permit of Buck Mining and Materials, Inc. be and is hereby extended for a period as provided in the MOU, subject to the terms and conditions of the MOU.
3. The Township’s Mine Engineer be and is hereby authorized to assure compliance with the MOU by Buck Mining and Materials, Inc.

BE IT FURTHER RESOLVED, that a copy of this Resolution, certified by the Township Clerk to be a true copy be forwarded to the following:

- a) Buck Mining and Materials, Inc.
- b) Township Mine Engineer
- c) Township Attorney

ROLL CALL:

AYES: C/Dorfman, C/Ferro, DM/Grbelja, C/Kuczinski, M/Masci
NAYS: None
ABSTAIN: None
ABSENT: None

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of July 3, 2019.

Kathleen Hart, RMC
Deputy Township Clerk