

**MILLSTONE TOWNSHIP COMMITTEE MEETING MINUTES FOR APRIL 6, 2022**

Mayor Ferro calls the meeting to order 7:02 p.m.

**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 Meeting Notice which was mailed to the Asbury Park Press and the Trenton Times, posted on the public announcements bulletin board in Town Hall and filed in the Office of the Township Clerk on December 20, 2021.

**ROLL CALL:** Committeeman Eric Davis - present, Deputy Mayor Chris Morris – present, Committeeman Michael McLaughlin – present, Committeeman Tara Zabrosky – present and Mayor Al Ferro - present. Also, in attendance: Brian Chabarek, Esq. - Township Attorney, Kevin Abernethy – Township Administrator and Kathleen Hart - Municipal Clerk.

Motion to adopt Resolution 22-89 was moved by DM/Morris; second by C/McLaughlin.

Municipal Clerk read Resolution 22-89 Authorizing the Holding of an Executive Session, at Which the Public Shall be Excluded

**ROLL CALL VOTE:**

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

Motion to adjourn Executive Session was moved by DM/Morris; second by C/McLaughlin. All in Favor.

Time In: 7:04 p.m.; Time Out: 7:56 p.m.

Mayor Ferro calls the regular meeting to order at 8:00 p.m. followed by a flag salute and a moment of silence.

All attendees and participants agree to conduct themselves in a manner appropriate for public gathering. Individual speakers should be advised that no right of privacy protects a person’s public comments made in a public forum. Accordingly, all participants bear responsibility for their own statements and commentary.

**PROCLAMATION:**

M/Ferro read into the record the 2022 Arbor Day proclamation.

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean air, produce oxygen and provide habitat for wildlife

Whereas, trees are a renewable resource giving us paper, wood for building homes, fuel for fires and countless wood products, and

Whereas, trees in our Township increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees greatly enhance the lives of our residents.

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Now, Therefore, I, Al Ferro, Mayor of the Township of Millstone, Monmouth County, New Jersey, do hereby proclaim April 29th as National Arbor Day for the year 2022.

Further, I encourage all of our residents to plant a tree and celebrate Arbor Day.

**ORDINANCE:**

**SECOND READING AND PUBLIC HEARING**

**ORDINANCE 22-01** AN ORDINANCE AMENDING CHAPTER 35 (LAND USE AND DEVELOPMENT), ARTICLE 5 (ZONING DISTRICTS REGULATIONS) OF THE REVISED GENERAL CODE OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

**EXPLANATORY STATEMENT:** This Ordinance revision provides for amendments to the Official Zoning Map and the RC Recreation Camp zoning district to expand the boundaries of the RC zoning district and allow for the continuation of retail uses along the Stage Coach Road frontage.

Affidavit of Publication Presented

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

Ken Pape, Esq., represents Black Bear, gives a brief presentation to the Township Committee and residents in attendance. The current ownership of Black Bear is Jeff Bershad and he has had total control since 2018 of the facility. Originally the initial request to amend the Recreation Camp zone came before the Governing Body who directed Black Bear to go in front of the Planning Board. Several meetings were held. The Planning Board did not want the RC zone close to Route 524 so the first 125' must stay Neighborhood Commercial (NC). The current NC zone allows 70% coverage and the proposed RC zone would only be 30% total coverage. The NC zone allows 30% building coverage and in the proposed RC zone it would only be 10% building coverage. The current NC zone is the zone that permits the far greater intensity. The result of this ordinance is that the recreation camp zone be setback 125' off of the county road and the intensity of the development is a fraction of what the NC zone permits. For the reasons and protections that are built in, we request that the governing body consider this ordinance favorably. With the proposed change, the total building size based on 10% of the 6 acres, plus the restrictions on the septic system, it would be roughly 16,000 to 18,000 sq. ft.

Residents voiced their concerns regarding the proposed changes to this ordinance. Their main concerns are the size of the building and the additional traffic that will occur on both Stagecoach Road and Red Valley Road. There is already an increase in traffic due to Great Adventure and Adventure Crossing.

McKinley Mertz, Township Planner addressed some of the concerns of the residents regarding neighborhood commercial zoning. Retail is currently allowed with 70% lot coverage that permits an 80,000 sq. ft. retail building. The new proposed ordinance would still allow retail but will only allow 30% lot coverage that would permit about 4,000 – 6,000 sq. ft. of retail and about 180' x 100' recreation facility.

Mayor Ferro closes the public hearing at 8:24 p.m.

Motion to adopt Ordinance 22-01 on second reading was moved by C/Davis; second by C/McLaughlin.

**ROLL CALL VOTE:**

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

Motion to adopt Ordinance 22-01 was denied and failed.

**FIRST READING**

**ORDINANCE 22-06** AMENDMENT TO ORDINANCE NOS. 21-15 AND 22-02 AMENDING CHAPTER II (ADMINISTRATION) PAYROLL OF THE REVISED

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GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE BY  
FIXING SALARY RANGES OF THE TOWNSHIP OFFICIALS AND  
EMPLOYEES IN THE TOWNSHIP OF MILLSTONE, COUNTY OF  
MONMOUTH, STATE OF NEW JERSEY

EXPLANATORY STATEMENT: This Ordinance amends the salary ordinance that fixes salary ranges for Township Officials and Employees.

Motion to adopt Ordinance 22-06 on first reading was moved by DM/Morris; second C/McLaughlin.

ROLL CALL VOTE:

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

Second reading and Public Hearing to be held on April 20, 2022 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

RESOLUTIONS:

22-90 Resolution to Adopt Temporary Emergency Appropriations #2

Motion to adopt Resolution 22-90 was moved by C/Davis; second C/McLaughlin.

ROLL CALL VOTE:

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

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.**

- 22-91 A Resolution Requesting Permission for the Dedication by Rider for Accumulated Absences Liability Trust Fund Required By (NJAC 5:30-15)
- 22-92 Resolution Supporting Improvements to County Route 537 (Monmouth Road) Between County Route 526/571 (Trenton-Lakewood Road) and Interstate I-195 in the Townships of Millstone and Jackson
- 22-93 Resolution Authorizing the Purchase of a Billy Goat Stand on Blower
- 22-94 Resolution Authorizing the Purchase of a PKA Lift as per ESCNJ Co-Op
- 22-95 Resolution Awarding Contract for ADA Playground Improvements at Millstone Park in the Township of Millstone
- 22-96 Payment of Vouchers – April 6, 2022
- 22-97 Resolution Increasing Contract Amount for Special Counsel with Regard to Litigation

Motion to adopt Consent Agenda Resolution 22-91 through 22-97 was moved by C/McLaughlin; second by DM/Morris.

ROLL CALL VOTE:

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

TOWNSHIP COMMITTEE MINUTES:

1. Regular Meeting Minutes – February 16, 2022

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Motion to adopt regular meeting minutes of February 2, 2022 was moved by C/McLaughlin; second by C/Zabrosky.

**ROLL CALL VOTE:**

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

**APPLICATION FOR A TRAILER PERMIT:**

1. KCH Corporation - Application for a Sales/Construction Trailer Permit to be located at 2 Wren Haven Drive, Block 53/Lot 4.09. Zoning Application approved by Zoning Officer.

Motion to approve trailer permit was moved by DM/Morris; second by C/McLaughlin. All in Favor.

**LIAISON REPORTS:**

Tara Zabrosky states that the Board of Education had their 3<sup>rd</sup> meeting on the school budget with a public hearing scheduled moved to May 9<sup>th</sup> due to Governor Murphy’s S2 funding being late. Assemblyman Dancer, Senator Thompson and Assemblyman Clifton sent an email to the Superintendent with a request to give testimony and a written statement with regard to school funding that is lost for each district.

Eric Davis states that the Open Space Preservation Council will be holding their annual Clambake on May 22<sup>nd</sup>. Mayor Ferro read a proclamation earlier regarding Arbor Day. This is the 150<sup>th</sup> anniversary of Arbor Day and the Shade Tree Commission is planning a tree planting at Millstone Park and one of the schools. The Environmental Commission is having their annual stream cleanup on Saturday, April 9<sup>th</sup>. Please pre-register at the Watershed.org or the Millstone Township Environmental Commission Facebook page.

M/Ferro met with the Memorial Day Parade Committee on March 18<sup>th</sup>. There will be a marching band, bagpipes, boys and girl scouts, motorcycles and custom cars. We are making this a really big event. Please come out on May 30<sup>th</sup> to celebrate the freedoms we have because of the sacrifices the Veterans have given us.

Township Administrator states that the Monmouth County Parks held an event on How to Maintain Trails, Bicycling and Walking. The Township is looking for volunteers to help clear the trails.

**NEW BUSINESS:**

M/Ferro states that the Environmental Commission has asked to become a designated Green Team Sustainable NJ certified body for Millstone Township and would like to introduce support regulations to protect public health, safety and welfare from threats of flood. C/Davis states that there is a draft resolution to be reviewed by the Township Committee to appoint the Environmental Commission as a Green Team. This would allow the Township to be recognized as an environmentally concerned community on a state-wide level. There are objects that have to be met and opportunities for funding and grants. Another draft resolution to be reviewed is in support of the ability of municipalities to adopt regulations to protect public health, safety and welfare from threats of flood. This resolution would allow municipalities to adopt additional and/or more stringent stormwater regulations that at least meet the standards of the state model ordinance.

**OLD BUSINESS:** None

**COMMENTS FROM THE DAIS:** None

**PRIVILEGE OF THE FLOOR** (Limited to ½ Hour)

Mayor Ferro opens the meeting to the public at 8:39 p.m.

Robert Chantz, 1028 Windsor Road, discusses concerns about Feldsher Road. This is an old farm road and half is in East Windsor. There are 5-7 fully loaded trucks utilizing this road, the road is narrow and full of potholes. He is requesting a weight limit be put on the road. Township Administrator will check with the Township

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Engineer about the weight limit and he will reach out to East Windsor.  
Mayor Ferro closes the meeting to the public at 8:42 p.m.

**ADJOURNMENT:**

Motion to adjourn was moved by C/Davis; second by C/Zabrosky. All in Favor.

Time Out 8:43 p.m.

Audio of the meeting is available in the Municipal Clerks Office.

April 6, Township Committee Regular Meeting Minutes approved at a Township Committee meeting held on April 20, 2022.

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Kathleen Hart, RMC  
Municipal Clerk