

RESOLUTION NO. 21-154
MEETING DATE: 08-04-2021

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

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

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. Items Falling Under Attorney Client Privilege

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/Ferro, DM/Grbelja, C/McLaughlin
NAYS: None
ABSTAIN: None
ABSENT: C/Morris, M/Dorfman

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on August 4, 2021.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 21-155

SCHEDULE 21-08 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON August 4, 2021

SEE SCHEDULE 21-08 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 21-08 attached.

Gary Dorfman, Mayor

Nancy Grbelja, Deputy Mayor

Albert Ferro, Committeeman

Michael McLaughlin, Committeeman

Chris Morris, Committeeman

Attest: _____
Kathleen Hart
Municipal Clerk

TOWNSHIP OF MILLSTONE
RESOLUTION NO. 21-155
August 4, 2021

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 21-08, August 4, 2021, Consolidated Bill List, and the vouchers listed below as Schedule 21-08 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: \$ 9,245,137.38

SCHEDULE 21-08 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 319.93

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 217,064.96

GRANT FUND

TOTAL GRANT FUND \$ 818.89

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 355.00

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 176.42

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 1,022.50

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 24,630.55

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 \$ 30,214.13

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 1,869.52

TOTAL FOR ALL FUNDS \$ 9,521,609.28

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 3,369.25

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 24,577.00

TOTAL FOR ESCROW \$ 27,946.25

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

AYES: C/McLaughlin, C/Morris, C/Ferro, DM/Grbelja

NAYS: None

ABSTAIN: None

ABSENT: M/Dorfman

RESOLUTION NO. 21-156
ADOPTION DATE: 08-04-2021

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES
FOR XXXIII ASSOCIATES/RIVERSIDE CENTER, LLC, SITE PLAN NO. P06-02,
(BLOCK 18, LOT 2.02)

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

WHEREAS, the Developer for Site Plan No. P06-02, located on State Highway 33, has requested a release of its performance guarantees previously posted with the Township of Millstone in accordance with its previously received Planning Board approvals; and

WHEREAS, the Township Engineer has, in a letter dated June 16, 2021 (attached hereto as Exhibit "A") recommended that the following performance guarantees be released:

Letter of Credit No. 1283, dated April 1, 2017, issued by Ocean First Bank, in the amount of \$384,588.00.

Cash Bond Deposit in the amount of \$42,732.00.

WHEREAS, as a condition of the release the Developer must post a Maintenance Bond or cash for a duration of two years, or a Maintenance Letter of Credit for a duration of two and one-half years, in the amount of \$213,660.00; and

WHEREAS, the balance of the Engineering Inspection Fee is to remain on account through the maintenance period.

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

1. It hereby authorizes the release of the performance guarantees set forth in the Township Engineer's letter dated June 16, 2021, subject to the conditions set forth above.

2. The Township Clerk, Township Treasurer and all other appropriate municipal officials are hereby authorized to execute such documents and to perform such acts as are necessary to effectuate the purpose of this Resolution.

3. Pursuant to the recommendation of the Township Engineer as set forth in the letter referred to above, the Township hereby accepts the public improvements, if any, and any easements and/or dedication of property to be accepted by the Township of Millstone pursuant to the Planning Board approval.

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

- (a) Township Engineer
- (b) Township Treasurer
- (c) Developer
- (d) Township Attorney

ROLL CALL:

AYES: C/McLaughlin, C/Morris, C/Ferro, DM/Grbelja
NAYS: None
ABSTAIN: None
ABSENT: M/Dorfman

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of August 4, 2021.

KATHLEEN HART, RMC
Municipal Clerk

RESOLUTION NO.: 21-157
ADOPTION DATE: 08-04-2021

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES
FOR SIL-KEMP CONCRETE, INC. D/B/A SILVI GROUP COMPANIES, SITE PLAN
NO. Z16-05, BLOCK 22, LOT 13 BECAUSE OF ABANDONMENT OF APPROVAL

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

WHEREAS, in 2017 Silvi-Concrete, Inc., d/b/a Silvi Group Companies (hereafter “Silvi”) posted performance guarantees and entered into a Developer’s Agreement in connection with Site Plan No. Z16-05; and

WHEREAS, Silvi previously requested that the Township release the Developer’s Agreement which was recorded in 2017 because it had abandoned its approval; and

WHEREAS, the Township adopted Resolution No. 21-145 authorizing the release of the Developer’s Agreement from 2017; and

WHEREAS, Silvi has received approval from the Planning Board for a new application and will post performance guarantees for the new application; and

WHEREAS, it is necessary to release the performance guarantees that were posted in 2017 since that approval was abandoned and performance guarantees will be posted for the new application.

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

1. It hereby authorizes that Performance Bond No. 106747899 issued by Travelers Casualty and Surety Company, dated August 7, 2017 in the amount of \$97,200.00 and the 10% cash guarantee posted in the amount of \$10,800.00 be released.

2. The Township Clerk, Township Treasurer and all other appropriate municipal officials are hereby authorized to execute such documents and to perform such acts as are necessary to effectuate the purpose of this Resolution.

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

- (a) Township Engineer
- (b) Township Treasurer
- (c) Township Attorney
- (d) Silvi Group Companies
C/O Kenneth Pape, Esq.
516 Highway 33, Millstone Township, NJ 08535

ROLL CALL:

AYES: C/Ferro, DM/Grbelja, C/McLaughlin, C/Morris

NAYS: None

ABSTAIN: None

ABSENT: M/Dorfman

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of August 4, 2021.

KATHLEEN HART, RMC
Township Clerk