

**MILLSTONE TOWNSHIP COMMITTEE REGULAR MEETING MINUTES FOR AUGUST 18, 2021
at 215 Millstone Road, Millstone Township, NJ 08510**

Mayor Dorfman calls the meeting to order at 7:30 p.m. followed by a flag salute and a moment of silence.

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 21, 2020.

ROLL CALL: Committeeman Al Ferro - present, Deputy Mayor Nancy Grbelja – absent, Committeeman Michael McLaughlin – present, Committeeman Chris Morris – present and Mayor Gary Dorfman - present. Also, in attendance: Andrew Ball, Esq. - Township Attorney; Township Administrator – Kevin Abernethy and Kathleen Hart - Municipal Clerk.

Municipal Clerk read Resolution 21-158 Authorizing the Holding of an Executive Session, at Which the Public Shall be Excluded

Motion to adopt Resolution 21-158 was moved by C/Morris; second by C/McLaughlin.
Committee Discussion: None

ROLL CALL VOTE:

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

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

Time In: 7:32 p.m.; Time Out: 7:52 p.m.

Mayor Dorfman calls the regular meeting to order at 8:03 p.m. followed by a flag salute and a moment of silence.

Due to the COVID-19 pandemic the Township Committee Meeting of August 18, 2021 is also being held virtually, utilizing the Zoom platform.

Join Zoom Meeting

<https://us02web.zoom.us/j/85142647348?pwd=b3dTMGFHMDVwZndwMXFpS2xjMmdkUT09>

Meeting ID: 851 4264 7348; Passcode: 602428

One tap mobile

+19292056099,,85142647348# US (New York); +13017158592,,85142647348# US (Washington DC)

Dial by your location

+1 929 205 6099 US (New York); +1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago); +1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma); +1 346 248 7799 US (Houston)

Meeting ID: 851 4264 7348

Find your local number: <https://us02web.zoom.us/u/kDPu pepOB>

For public comment section you can also email askmillstone@millstonenj.gov with your questions or public comments along with your name and address. Your comments will be read into the record. This meeting will also be recorded and be replayed on the Millstone PEG Channel.

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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.

CORRESPONDENCE:

1. Letter received from Ken Pape, Esq, dated August 10, 2021 regarding CRP/CHI Showplace Farms Venture, LLC f/k/a 2020 Acquisitions, LLC, Block 23 Lot 8 requesting extension of construction work hours.

The Township Committee discusses with Greg Strickland, who speaks on behalf of Crow Holdings, their request for an extension to the construction hours at the site. Mr. Strickland states that going from 12 hours to 18 hours, starting at 2:00 am and concluding at 8:00 pm, would speed up the concrete pours. It would shorten the pour time to approximately 21 days and would reduce the construction schedule by approximately 3 - 5 months. He hopes the impact is minimal to residents. The nearest neighbor is approximately 2,000 feet away with 500 feet of buffer and doesn't think there will be any audible noise that will hit the adjacent properties. The pours would start at the front of the property and the trucks should be finished between 10:00 am and 11:00 am. The remainder of the time would be doing the finishing work with small machines. The traffic impact would be minimal in the morning. The trucks would enter the site from Route 33, move forward through the site, pour and exist back onto Route 33. Each pour is about 105 truckloads. If the time changes are granted, this would be about 21 separate pours over 30 days versus the current status of about 60 pours over 120 days. Township Administrator states that the construction department would be inspecting before a pour and then after the next rebar is done. A 3rd party is monitoring the concrete and taking samples. C/Ferro asks if there will be generators, lighting and other equipment on site during the early morning. Mr. Strickland states that three generated lights at one time will be used and maximum 16 feet in the air. They would be facing away from the residential areas. Township Attorney asks if you are requesting a waiver from the time frame only and not requesting an exemption from the noise standards established in the Township Code. Mr. Strickland is only requesting a waiver of time. The Township Committee members are very concerned about the sounds from the site including the truck noise and would like to know how quickly this can stop. Mr. Strickland states that if a conditional approval is granted for a test run, they can pivot very quickly, however, they would not be able to stop a pour and would need to finish that day's pour. If the work is truly interfering with our neighbors we would need to reevaluate. M/Dorfman states that the only positives are less impact for a much shorter time and financial tax aspects to the township. Township Attorney states that if you are all in agreement, you can authorize the Township Administrator to make a determination based on the follow up conversations and give the official go ahead or not. C/Ferro states that we need to take into consideration of the residents that live in that area and consider all the factors. M/Dorfman thanks Mr. Strickland for helping understand the situation and will try to get you some feedback and guidance as soon as possible.

ORDINANCES:

SECOND READING

ORDINANCE 21-12

AMENDMENT TO ORDINANCE NOS. 20-36 AND 21-02 AMENDING
CHAPTER II (ADMINISTRATION) PAYROLL OF THE REVISED
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 range for the Recreation Coordinator and Recreation Clerk.

Affidavit of Publication Presented

Mayor Dorfman opens the public hearing at 8:36 p.m.

No public comment.

Mayor Dorfman closes the public hearing at 8:36 p.m.

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Motion to adopt on second reading Ordinance 21-12 was made by C/Morris; second by C/McLaughlin.

ROLL CALL VOTE:

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

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.

21-159 Payment of Vouchers – August 18, 2021
21-160 Resolution Authorizing Execution of Liebowitz Right of First Refusal Agreement
21-161 Resolution Establishing Lien Against Block 6, Lot 7.05, 30 Nurko Road, Millstone Twp., NJ 08535
21-162 Resolution Establishing Lien Against Block 26, Lot 3.09, 4 Dawson Court, Millstone Twp., NJ 08535
21-163 Resolution Appointing a Part-Time Secretary to the Open Space Preservation Council and Agricultural Advisory Council
21-164 Resolution Appointing a Part-Time Deputy Tax Collector

C/Ferro requests a discussion regarding Resolution 21-160 as the additional information regarding this property and understanding the dynamics of the property without expending any costs was never received. M/Dorfman states that this resolution is simply a right to match a bid if it goes to sale. This is only step 1. Step 2 requires more information regarding what is the upside or downside on requiring this property. Township Attorney states that it does not obligate the Township and only gives an option. C/Morris states that this resolution is only giving us an option and does not obligate us to purchase. Township Engineer states that the property is estimated to be 90% wetlands and there is a conservation easement on the property. There is only a small triangle piece that is upland. M/Dorfman states that this resolution is only for the right of first refusal, which is step 1 and agrees with C/Ferro that the additional information requested is necessary for step 2 and sees no downside with adopting this resolution.

Motion to adopt Consent Agenda Resolutions 21-159 through 21-164 was made by C/Morris; second by C/McLaughlin.

ROLL CALL VOTE:

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

REPORTS FROM VARIOUS DEPARTMENTS FOR JULY 2021:

Tax Collector	\$2,188,015.25
Clerks Report	\$ 1,451.00
Dog License	\$ 627.00
Building Department	\$ 350,383.00
COAH	\$ 6,672.00
Municipal Court	\$ 7,684.01
2021 Interest Revenue	

Motion to file was made by C/Ferro, second by C/McLaughlin. All in Favor.

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TOWNSHIP COMMITTEE MINUTES:

1. Regular Meeting Minutes – August 4, 2021

Motion to adopt regular meeting minutes of August 4, 2021 was made by C/Morris, second by C/Ferro.

ROLL CALL VOTE:

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

2. Executive Meeting Minutes – August 4, 2021

Motion to adopt executive meeting minutes of August 4, 2021 was made by C/McLaughlin, second by M/Dorfman.

ROLL CALL VOTE:

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

APPLICATION FOR A RAFFLE LICENSE:

1. Friends of Millstone Twsp. Historic Registered Properties, Inc., On-Premise Merchandise Raffle to be held on September 12, 2021 from 12pm – 5pm at Millstone Park, 4 Red Valley Road.

Motion to adopt was made by C/Ferro, second by C/McLaughlin.

ROLL CALL VOTE:

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

2. Friends of Millstone Twsp. Historic Registered Properties, Inc., On-Premise 50/50 Raffle to be held on September 12, 2021 from 12pm – 5pm at Millstone Park, 4 Red Valley Road.

Motion to adopt was made by C/Morris, second by C/Ferro.

ROLL CALL VOTE:

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

APPLICATION FOR A TRAILER PERMIT:

1. Ralph Arbia - Application for a Migrant Trailer Permit to be located at 11 Brookside Road, Block 60.02/Lot
12. Zoning Application approved by Zoning Officer.

Motion to approve was made by C/Ferro, second by C/McLaughlin. All in Favor.

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LIAISON REPORTS:

C/Morris states that Millstone Day is scheduled for September 12th and will be held at Millstone Park. We will be adding some new and exciting elements into Millstone Day. More information will be posted on multiply sites along with an e-blast. There are many volunteers working every day and attending multiple meetings a week to pull all this together.

M/Dorfman states that we also will have tennis and pickleball courts at Millstone Park. We have a resident that is the NJ State Champion in pickleball. This person is a very experienced tennis and pickleball instructor and has run tennis leagues for many years. This person has expressed an interest in helping to promote and teach those activities and the Township Administrator will be speaking to this person next week.

Township Administrator states that the fences are up at the courts at Millstone Park. The contractor is finishing up on leveling and painting the courts. It is scheduled to be done by the end of month.

M/Dorfman would like to recognize all the volunteers who help with getting the park ready and for making Millstone Day happen.

NEW BUSINESS:

Township Administrator would like a formal motion and vote from the Township Committee giving him permission to relay the decision to the contractor requesting extending the hours or not and/or be able to shut them down.

Township Attorney recommends formally authorizing the Township Administrator to relay the Township's determination to allow the waiver of the time frames with the contractor. A motion, second and vote will need to be done. Each Township Committee member can individually discuss their thoughts to the Township Administrator. Once all the facts are gathered, and all in agreement, he can relay the decision to the contractor. If further township action is needed, then it will need to wait until the next township committee meeting.

M/Dorfman asks for a motion to authorize the Township Administrator to relay the decision to the contractor requesting extending the hours or not and/or be able to shut them down, per the Township Committee's instruction. Motion was made by M/McLaughlin, second by C/Morris.

ROLL CALL VOTE:

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

Township Engineer states that he met with the County Engineer and they are looking at the intersection of Burnt Tavern Road and County Route 537 in regards to only being able to make a right turn in and a right turn out at this intersection. No left turns or going straight across. A letter will be sent to the Township Committee.

Township Engineer states that the roundabout at Millstone Road and Stagecoach Road is still on schedule for Spring of 2022.

OLD BUSINESS:

Township Administrator gives an update: Monmouth County will be closing the passing zones on the approaches to the intersection of CR 571 (N. Rochdale) and CR 1 Perrineville Road. Expect the changes to the roadway striping to be completed by the end of September.

Township Administrator states that we have had a rash of auto thefts in Millstone Township and surrounding towns recently and practically every one of them had the keys or FOBs left in the car.

The New Jersey State Police offer simple tips to avoid auto theft.

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1. Always lock your car
2. Remove the keys and key FOBS from your car
3. Never leave valuables in the car
4. Don't leave your car running
5. Set the home location of your GPS to a nearby location, not your home
6. Activate the account for your factory installed tracking system
7. Know your license plate

If your car is stolen, immediately call 911 and your insurance company.

COMMENTS FROM THE DAIS: None

PRIVILEGE OF THE FLOOR (Limited to ½ Hour) Members of the public participating by remote internet access or telephonic access shall be allotted up to three (3) minutes.

Mayor Dorfman open the meeting to the public at 9:10 p.m.

No public comment.

Mayor Dorfman closes the meeting to the public at 9:10 p.m.

ADJOURNMENT:

Motion to adjourn was made by C/McLaughlin; second by C/Ferro. All in Favor.

Time Out: 9:10 p.m.

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

August 18, 2021 Township Committee Meeting Minutes approved at a Township Committee meeting held on September 1, 2021.

Kathleen Hart, RMC
Municipal Clerk