RESOLUTION NO. 22-210 MEETING DATE: 12-07-2022

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

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

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
 - 2. Litigation
 - 3. Potential Land Acquisition

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/Davis, C/McLaughlin, M/Ferro

NAYS: None ABSTAIN: None

ABSENT: DM/Morris, C/Zabrosky

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on December 7, 2022.

RESOLUTION NO. 22-211 MEETING DATE: 12-07-2022

RESOLUTION TO TRANSFER FUNDS ON CURRENT YEAR APPROPRIATIONS #2

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

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers within certain appropriations within the Municipal Budget during the last two months of the fiscal year; and

WHEREAS, the Chief Financial Officer has advised the Mayor and Committee of the Township of Millstone that the need for certain transfers within the 2022 Municipal Budget exists; and,

WHEREAS, it is recommended that these budget transfers be made.

NOW, THEREFORE, BE IT RESOLVED that the following budget transfers be made in the 2022 Municipal Budget:

CURRENT ACCOUNT		<u>FROM</u>	<u>TO</u>
General Administration	SW	\$5,000	
Tax Collector	SW	5,000	
Construction	SW	35,000	
Sanitation	SW	10,000	
Health Insurance	OE	18,800	
Telephone	OE	5,000	
Legal	OE		\$30,000
Tax Collector	OE		9,000
Planning	OE		5,000
Emergency Management	OE		800
Street & Roads	OE		12,000
Shade Tree	OE		10,000
Building & Grounds	OE		<u>12,000</u>
TOTAL		\$78,800	\$78,800

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to the Chief Financial Officer and the Treasurer.

ROLL CALL:

AYES: C/McLaughlin, C/Zabrosky, C/Davis, M/Ferro

NAYS: None ABSTAIN: None ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 7, 2022.

RESOLUTION NO: 22-212 MEETING DATE: 12-07-2022

RESOLUTION EXTENDING CONTRACT FOR CURBSIDE PICKUP OF RECYCLABLE MATERIAL FOR 2023

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

WHEREAS, by Resolution No. 19-228, adopted December 4, 2019 the Township of Millstone awarded a contract to Central Jersey Waste & Recycling, Inc. for the curbside pickup of recyclable material; and

WHEREAS, the bid specification upon which the contract was based, as well as Resolution No. 19-228 contained a provision wherein the Township of Millstone had the option to extend said contract for up to four (4) additional one (1) year periods for the amounts set forth in the bid; and

WHEREAS, the Chief Financial Officer has certified the funds.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone hereby extends the contract for the curbside pickup of recyclable material between the Township of Millstone and Interstate Waste Services of NJ, Inc. formerly Central Jersey Waste & Recycling, Inc. until December 31, 2023 for \$262,188.92.

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to:

Interstate Waste Services of NJ, Inc. formerly Central Jersey Waste & Recycling, Inc. Township's Chief Financial Officer
Township Administrator
Township's Purchasing Agent
Township Recycling Coordinator
Township Engineer

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None ABSTAIN: None

ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee of the Township of Millstone at its meeting of December 7, 2022.

Kathleen Hart, RMC	
Municipal Clerk	

RESOLUTION NO: 22-213 MEETING DATE: 12-07-2022

GRANT AGREEMENT BETWEEN TOWNSHIP OF MILLSTONE AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT IDENTIFIER: (UCF-2022-023)

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

WHEREAS, the governing body of the Township of Millstone desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$50,000.00 to fund the following project: 2022 NJUCF Stewardship Grant-Resiliency Planning; and

WHEREAS, the governing body resolves that Al Ferro or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than \$50,000.00, and (c) to execute [] any amendments thereto [x] any amendments thereto which do not increase the Grantee's obligations; and

WHEREAS, the Mayor and Township Committee authorizes and hereby agrees to match 20°/o of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. Up to 100 °/o of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).*

BE IT RESOLVED, the Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None ABSTAIN: None ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a tree copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 7, 2022.

Kathleen Hart, T	ownship Clerk

RESOLUTION NO. 22-214 MEETING DATE: 12-07-2022

RESOLUTION AUTHORIZING GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2020 - JUNE 2025 FORM 1B

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

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth.

NOW, THEREFORE, BE IT RESOLVED by the Township of Millstone, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Millstone Municipal Alliance grant for fiscal year **2024** in the amount of:

DEDR	\$9,990.00
Cash Match	\$2,497.50
In-Kind	\$7,492.50

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED:		
	Al Ferro, Mayor	

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None ABSTAIN: None

ABSENT: DM/Morris

CERTIFICATION

I, Kathleen Hart, Municipal Clerk of the Township of Millstone, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township of Millstone Committee on this 7th day of December 2022.

RESOLUTION NO. 22-215 MEETING DATE: 12-07-2022

RESOLUTION AUTHORIZING GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE SUBMISSION OF APPLICATION FOR DMHAS YOUTH LEADERSHIP GRANT, FORM 1B

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

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program; and

WHEREAS, the Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and, therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth.

NOW, THEREFORE, BE IT RESOLVED by the Township of Millstone, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of an application for DMHAS Grant funding for the Millstone Municipal Alliance for grant term 9/1/23 - 9/30/25 in the amount of:

DMHAS Grant Funding \$3,403.78

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED:		
	Al Ferro, Mayor	

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None ABSTAIN: None

ABSENT: DM/Morris

CERTIFICATION

I, Kathleen Hart, Municipal Clerk of the Township of Millstone, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township of Millstone Committee on this 7th day of December 2022.

RESOLUTION NO. 22-216

SCHEDULE 22-12 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO THE TOWNSHIP COMMITTEE AT A MEETING HELD ON December 07, 2022

SEE SCHEDULE 22-12 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 22-12 attached.

	Al Ferro, Mayor
	Chris Morris, Deputy Mayor
	Eric Davis, Committeeman
	Michael McLaughlin, Committeeman
	Tara Zabrosky, Committeewoman
Attest: Kathleen Hart Municipal Clerk	

TOWNSHIP OF MILLSTONE RESOLUTION NO. 22-216

December 07, 2022

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 22-12, December 07, 2022, Consolidated Bill List, and the vouchers listed below as Schedule 22-12 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:	\$	1,933,218.09		
<u>SCHEDULE 22-12 S</u>				
PAYROLL FUND				
TOTAL PAYROLL TRUST FUND	\$	20,753.22		
GENERAL CAPITAL FUND				
TOTAL GENERAL CAPITAL FUND	\$	24,180.54		
GRANT FUND				
TOTAL GRANT FUND	\$	13,740.23		
RESERVE TRUST FUND				
TOTAL RESERVE TRUST FUND	\$	5,004.93		
BASIN MAINTENANCE TRUST				
TOTAL BASIN MAINTENANCE TRUST	\$	99.68		
SHADE TREE TRUST				
TOTAL SHADE TREE TRUST	\$	0.00		
COAH TRUST FUND				
TOTAL COAH TRUST FUND	\$	5,254.00		
OPEN SPACE FARMLAND TRUST FUND				
TOTAL OPEN SPACE FARMLAND TRUST FUND	\$	29,728.01		

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 \$ 24,723.05

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 741.72

TOTAL FOR ALL FUNDS <u>\$ 2,057,443.47</u>

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 3,742.00

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 26,712.23

TOTAL FOR ESCROW <u>\$ 30,454.23</u>

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

AYES: C/ZABROSKY, C/DAVIS, C/MCLAUGHLIN, M/FERRO

NAYS: NONE

ABSTAIN: NONE

ABSENT: DM/MORRIS

RESOLUTION NO. 22-217 MEETING DATE: 12-07-2022

RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL SERVICES AGREEMENT FOR REGIONAL ANIMAL CONTROL

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

WHEREAS, the existing contract for Regional Animal Control among Freehold Township, Manalapan Township (lead agency), Millstone Township and Freehold Borough expire on December 31, 2022; and

WHEREAS, Manalapan Township, as the lead agency, prepared an Agreement for a term commencing January 1, 2023 and ending on December 31, 2024; and

WHEREAS, this Agreement will be entered into pursuant to the Interlocal Services Act, N.J.S.A. 40:8A-1 et. seq; and

WHEREAS, a copy of the Agreement shall be on file in the Township Clerk's Office and available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Mayor and Municipal Clerk are hereby authorized to execute the aforementioned Shared Services Agreement for Regional Animal Control Services with the Township of Manalapan.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Manalapan Township Administrator, the Clerks of Manalapan Township, Freehold Borough, Freehold Township, Hightstown Borough and Roosevelt Borough, Millstone Township Administrator, Millstone Township Chief Financial Officer and to the New Jersey Department of Community Affairs, Division of Local Government Services.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None ABSTAIN: None

ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 7, 2022.

RESOLUTION NO. 22-218 MEETING DATE: 12-07-2022

RESOLUTION AMENDING RESOLUTION 22-46 INCREASING PURCHASE AMOUNT TO THE STATE CONTRACT FOR UNLEADED (T-0083) AND DIESEL (T-1845) FUEL (STATE CONTRACT 19-FLEET-00975 AND 19-FOOD-01102)

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

WHEREAS, on January 5, 2022, the Township Committee of the Township of Millstone adopted Resolution 22-46 to purchase unleaded and diesel fuel, from an authorized vendor under the State of New Jersey State Contract Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Contracts Law, 40A: 11-12; and

WHEREAS, J. Swanton Fuel Oil Co., Inc. is under the State Contract No. 19-FLEET-00975 (expiring 10/31/2024) and 19-FOOD-01102 (expiring (03/31/2025) for 2022; and

WHEREAS, the cost for the purchase was not to exceed \$50,000.00; and

WHEREAS, there exists a need to further increase the purchase amount to not exceed \$60,000.00; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract are available in the line-item number 2-01-31-460-275.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that the purchase of Unleaded and Diesel Fuel under State Contract Nos. 19-FLEET-00975 and 19-FOOD-01102 be and is hereby increased to an amount not to exceed \$60,000.00.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None ABSTAIN: None

ABSENT: DM/Morris

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 regular meeting held on December 7, 2022.

Kathleen Hart, RMC	
Municipal Clerk	

RESOLUTION NO. 22-219 MEETING DATE: 12-07-2022

RESOLUTION INCREASING CONTRACT AMOUNT FOR THE TOWNSHIP ATTORNEY FOR THE CALENDAR YEAR 2022

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

WHEREAS, on January 5, 2022, the Township Committee of the Township of Millstone adopted Resolution No. 22-01 appointing professionals for the year 2022; and

WHEREAS, Resolution No. 22-01 engaged the services of the firm of Davison, Eastman, Muñoz, Paone, PA to serve as the Township Attorney and awarded a contract to the aforesaid firm for an amount not to exceed \$200,0000.00, wherein the total fees paid out would be dependent upon litigation and legal projects which presented themselves and were assigned out during the year; and

WHEREAS, there exists a need to increase the amount of the Contract awarded to the Township Attorney to an amount not to exceed \$250,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account no. 2-01-20-155-127.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Contract awarded to the Township Attorney, by way of Resolution No. 22-01, be and is hereby increased to an amount not to exceed \$250,000.00.

BE IT FURTHER RESOLVED that notice of this award be published as required by law within ten (10) days of the passage 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 the Township Attorney, the Township Administrator and the Township Chief Financial Officer.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None ABSTAIN: None

ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 7, 2022.

RESOLUTION NO. 22-221 MEETING DATE: 12-07-2022

RESOLUTION APPROVING FINAL CHANGE ORDER AND SUPPLEMENTAL AGREEMENT NO. 1 FOR ADA PLAYGROUND IMPROVEMENTS AT MILLSTONE PARK

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

WHEREAS, the Township entered into a contract with Thor Construction Group, LLC in the original amount of \$299,600.00 for a project known as "ADA Playground Improvements at Millstone Park"; and

WHEREAS, additional work at the Township's request for underdrain and drywell under playground, bocce court curbing and rubberbond play surface and curb edging and to reflect the Township Engineer as built quantities of the project; and

WHEREAS, the changes due to the additional work at the Township's request have resulted in an increase in the amount of \$15,810.00 as detailed on the attached Final Change Order and Supplemental Agreement No. 1; and

WHEREAS, the new contract amount is now \$315,410.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Change Order No. 1, resulting in an increase in the contract in the amount of \$15,810.00 is hereby approved and the Mayor, Township Administrator or Clerk are hereby authorized to execute this Change Order.

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. Thor Construction Group, LLC
- c. Township Attorney
- d. Township Administrator
- e. Township CFO
- f. Township Treasurer

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro

NAYS: None ABSTAIN: None ABSENT: DM/Morris

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of December 7, 2022.

Kathleen Hart, RMC Township Clerk

FINAL CHANGE ORDER AND SUPPLEMENTAL AGREEMENT NO. 1

Project:	ADA PLAYGROUND IMPROVEM	IENISAI	MIL	LSTONE	PARK	
Project No:	MS 20-05		Owner	: Township of	f Millstone	
,		Original Co		Amount:		\$200 600 00
Contractor:	Thor Construction Group, LLC PO Box 518 West Long Branch, NJ 07764	Previously Amount of	Adjuste	ed Contract Amor oplemental Agree ntract Amount to	unt : ement:	\$299,600.00 \$0.00 \$15,810.00 \$315,410.00
You are requ	ested to comply with the following changes from the contract p	lans and specifica	ition:			
Item No.	Description	Quantity	Units	Unit Price	Decrease in Contract Price	Increase in Contract Price
	Rubberbond Play Surface	120) SF	\$27.00	\$0.00	\$3,240.00
	Rubberbond Play Surface Curb Edging	42	2 SF	\$25.00	\$0.00	\$1,050.00
	Underdrain		2 LF	\$15.00	\$0.00	\$3,480.00
	Drywell	1	I EA	\$1,000.00	\$0.00	\$1,000.00
SA1-3	Bocce Court Curbing	220) LF	\$32.00	\$0.00	\$7,040.00
	Total Decrease per this Agreement —————				\$0.00	
	Total Increase per this Agreement					\$15,810.00
	Net Change in Contract Price due to this agreement					\$15,810.00
The sum of Adjusted cont	\$15,810.00 is herby added to the Total Contract Price and tract Price to date is hereby equal to Change: Additional work at the Township's request and		quantitie	s.	\$15,810.00	
Recommende	ed by: (Engineer)		-	J	Date: 11/8	9/22
Accepted by:	(Contractor)		-	ı	Date: // 30	0/22
Approved by:	(Township) Prepared b	y Leon S. Avakia	- n, Inc.	1	Date: ————	