

RESOLUTION NO. 22-106
MEETING DATE: 05-04-2022

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

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

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 – Onsite/Murphy Update
 3. Property 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, DM/Morris, C/Zabrosky, M/Ferro
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 May 4, 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 22-107
ADOPTION DATE: 05-04-2022

INTRODUCTION OF THE MUNICIPAL BUDGET FOR THE YEAR 2022

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

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2022 and the Governing Body of the Township of Millstone does hereby approve the following, as the Budget for the year 2022; and,

BE IT FURTHER RESOLVED, that said Budget be published in the Asbury Park Press in the issue of May 9, 2022 and a Public Hearing be held on June 1, 2022 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, NJ 08535 at 7:00pm at which time objections, to said Budget and Tax Resolution for the year 2022, may be presented by taxpayers or other interested parties.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, DM/Morris, M/Ferro
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 May 4, 2022.

KATHLEEN HART, RMC
Township Clerk

**Resolution 22-107
2022 Municipal Budget
of the Township of Millstone, County of
Monmouth for the fiscal year 2022.**

Revenue and Appropriation Summaries

Summary of Revenues		Anticipated	
		2022	2021
1. Surplus		\$ 1,300,000.00	\$ 929,000.00
2. Total Miscellaneous Revenues		2,879,912.81	2,556,427.96
3. Receipts from Delinquent Taxes		400,000.00	450,000.00
4. a) Local Tax for Municipal Purposes		4,051,564.78	3,821,756.00
b) Addition to Local School District Tax		-	-
c) Minimum Library Tax		-	-
Tot Amt to be Rsd by Taxes for Sup of Muni Bnd		4,051,564.78	3,821,756.00
Total General Revenues		\$ 8,631,477.59	\$ 7,757,183.96

Summary of Appropriations		2022 Budget	Final 2021 Budget
1. Operating Expenses:	Salaries & Wages	\$ 1,997,400.00	\$ 1,847,000.00
	Other Expenses	2,776,925.00	2,785,976.71
2. Deferred Charges & Other Appropriations		326,220.00	312,636.00
3. Capital Improvements		350,000.00	58,700.00
4. Debt Service (Include for School Purposes)		2,427,825.00	2,127,871.25
5. Reserve for Uncollected Taxes		753,107.59	625,000.00
Total General Appropriations		\$ 8,631,477.59	\$ 7,757,183.96
Total Number of Employees		31	29

Balance of Outstanding Debt	
General	
Interest	\$ 6,554,925.00
Principal	22,525,204.00
Outstanding Balance	\$ 29,080,129.00

Notice is hereby given that the budget and tax resolution was approved by the governing body of the Township of Millstone, County of Monmouth on May 4, 2022.

A hearing on the budget and tax resolution will be held at 215 Millstone Road on June 1, 2022 at 8:00 p.m. at which time and place objections to the Budget and Tax Resolution for the year 2022 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of Kathleen Hart, Municipal Clerk, at the Municipal Building, 470 Stage Coach Road, Millstone Twp., NJ 08510, 732-446-4249 ext. 1702, during the hours of 8:30 a.m. to 4:00 p.m.

It is also available on the Township website at www.millstonenj.gov. Kathleen Hart, RMC, Municipal Clerk

RESOLUTION NO. 22-108
MEETING DATE: 05-04-2022

RESOLUTION TO ADOPT TEMPORARY EMERGENCY
APPROPRIATIONS #3

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

WHEREAS, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

WHEREAS, the total emergency temporary resolutions adopted in the year 2022 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total **\$1,444,641.00**.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Millstone, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2022 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Director of Local Government Services and one certified copy with the Chief Financial Officer.

<u>DEPARTMENT</u>	<u>S&W</u>	<u>OE</u>
Clerk		\$2,000
Legal		25,000
Engineering		2,000
Veterans		500
Zoning		2,000
Building & Grounds		2,500
Vehicle Maintenance		6,400
Shade Tree		1,000
Sanitation		45,000
Gasoline		10,000
Landfill Tipping Fee		18,000
Animal Control		6,200
Interest - Bonds		<u>\$220,625</u>
	Sub-Total	\$ 341,225
	TOTAL	\$341,225

ROLL CALL:

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

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 regular meeting held on May 4, 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 22-109

SCHEDULE 22-05 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON May 4, 2022

SEE SCHEDULE 22-05 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 22-05 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. 22-109
May 04, 2022

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 22-05, May 04, 2022, Consolidated Bill List, and the vouchers listed below as Schedule 22-05 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: \$ 9,195,275.02

SCHEDULE 22-05 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 5,532.17

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 7,068.38

GRANT FUND

TOTAL GRANT FUND \$ 1,724.40

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 0.00

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 0.00

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 16.00

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 24,130.63

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 \$ 3,505.00

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 388.64

TOTAL FOR ALL FUNDS \$ 9,237,640.24

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 0.00

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 0.00

TOTAL FOR ESCROW \$ 0.00

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/McLaughlin, DM/Morris, C/Zabrosky, C/Davis, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: None

RESOLUTION NO. 22-110
ADOPTION DATE: 05-04-2022

RESOLUTION ACCEPTING ROAD WIDENING DEDICATIONS

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

WHEREAS, Black Bear Lake Real Estate Co., LLC received site plan approval to construct an addition to an existing building located on Block 35, Lots 17.01, 19, 19.01, 19.02 and 20; and

WHEREAS, as part of the site plan approval, Black Bear Lake Real Estate Co., LLC dedicated to Millstone Township a 25 foot wide right of way for Lot 17.01 and a 25 foot wide right of way for Lot 19.01, and Deeds of Dedication for Road Widening were recorded in the Monmouth County Clerk's Office; and

WHEREAS, while construction activities are taking place on the property, the Township minimizes its potential liability by including language in the Deeds which delays acceptance of the dedications until the Township adopts a Resolution releasing performance guarantees and accepting the dedications; and

WHEREAS, no performance guarantees were posted for this site plan because there were no public improvements, therefore, a Resolution releasing the performance guarantees is not necessary; and

WHEREAS, the Township Engineer has advised that all improvements have been completed for this project; and

WHEREAS, in light of the above, it is necessary for the Township to adopt a Resolution accepting the two right of way dedications for Lots 17.01 and 19.01.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that it hereby accepts the 25 foot wide right of way dedication for Block 35, Lot 17.01 and the 25 foot wide right of way dedication for Block 35, Lot 19.01.

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 Engineer and the Township Administrator.

ROLL CALL:

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

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 May 4, 2022.

KATHLEEN HART, RMC
Township Clerk

RESOLUTION NO. 22-111
MEETING DATE: 05-04-2022

**RESOLUTION AUTHORIZING GOVERNOR'S COUNCIL ON ALCOHOLISM
AND DRUG ABUSE SUBMISSION OF APPLICATION FOR DMHAS GRANT
FUNDING FOR ONE GRANT TERM 7/1/22 – 3/14/23 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.

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 of Millstone Committee does hereby authorize submission of an application for DMHAS Grant funding for the Millstone Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 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/McLaughlin, DM/Morris, C/Zabrosky, C/Davis, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: None

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 4th day of May 2022.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 22-112
ADOPTION DATE: 05-04-2022

**RESOLUTION REJECTING BIDS FOR CONSTRUCTION OF A PROPOSED
BUILDING AT CLARKSBURG CULTURAL CENTER-PHASE III**

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

WHEREAS, pursuant to a duly advertised notice to bidders, the Township received four (4) bids for the construction of a proposed building at Clarksburg Cultural Center-Phase III; and

WHEREAS, bids were received from the following contractors:

1. Skopye, LLC
2. H & S Construction & Mechanical, Inc.
3. Catel, Inc.
4. Dandrea Construction Co., Inc.

WHEREAS, N.J.S.A. 40A:11-13.2(a) authorizes the Township to reject all bids when the lowest bid substantially exceeds the cost estimates for the goods or services; and

WHEREAS, N.J.S.A. 40A:11-13.2(d) authorizes the Township to reject all bids when the contracting unit wants to substantially revise the specifications for the goods or services; and

WHEREAS, the Township Engineer has reviewed the aforesaid bid submissions and made the recommendation to reject all bids, in light of the fact that the lowest bid substantially exceeds the engineer's estimate, and as a result of the same, the Township wishes to implement substantive changes and amend the scope of the project; and

WHEREAS, the Township Engineer has recommended that the bid security be returned to each bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Millstone, that the bids that were received for the construction of a proposed

building at Clarksburg Cultural Center-Phase III be and are hereby rejected, as the lowest bid substantially exceeds the engineer's estimate, and as a result of the same, the Township seeks to substantially revise the specifications for the project.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Millstone that the bid security be returned to each of the bidders.

ROLL CALL:

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

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 May 4, 2022.

KATHLEEN HART, RMC
Township Clerk

RESOLUTION NO. 22-113
MEETING DATE: 05-04-2022

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment
Decisions Under Title VII of the Civil Rights Act of 1964"**

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

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Millstone, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

ROLL CALL:

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

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 May 4, 2022.

Kathleen Hart, RMC
Municipal Clerk

GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

We, members of the governing body of the Township of Millstone being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Township Committee of the Township of Millstone of the in the county of Monmouth;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.) Al Ferro	(L.S.)
_____	_____
(L.S.) Chris Morris	(L.S.)
_____	_____
(L.S.) Michael McLaughlin	(L.S.)
_____	_____
(L.S.) Eric Davis	(L.S.)
_____	_____
(L.S.) Tara Zabrosky	(L.S.)
_____	_____

Sworn to and subscribed before me this _____ day of _____
Notary Public of New Jersey

Kathleen Hart, RMC
Municipal Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.