

RESOLUTION NO. 23-62
MEETING DATE: 02-01-2023

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

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 January 1, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-63

SCHEDULE 23-02 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON February 1, 2023

SEE SCHEDULE 23-02 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 23-02 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. 23-63
February 1, 2023

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 23-02, February 1, 2023, Consolidated Bill List, and the vouchers listed below as Schedule 23-02 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: \$ 9,234,134.69

SCHEDULE 23-02 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 6,216.33

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 0.00

GRANT FUND

TOTAL GRANT FUND \$ 380.77

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 \$ 615.00

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 1,839.74

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 \$ 26,661.71

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 812.32

TOTAL FOR ALL FUNDS \$ 9,270,660.56

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 381.25

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 14,674.41

TOTAL FOR ESCROW \$ 15,055.66

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

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

RESOLUTION NO. 23-64
MEETING DATE: 02-01-2023

**RESOLUTION DIRECTING TAX COLLECTOR TO CANCEL
REAL ESTATES TAXES ON BLOCK 54.01, LOT 17**

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

WHEREAS, pursuant to N.J.S.A. 54:4-3.30 et seq.: L.1948, c.259 as amended, Property Tax Exemption on Dwelling House of Disabled Veteran or Surviving Spouse, Addushkaliz Szumoski is 100% totally and permanently disabled, as declared by the Department of Veterans Affairs; and

WHEREAS, Addushkaliz Szumoski owns 1 Old Noah Hunt Rd, Millstone Township;

WHEREAS, the property taxes for the 1st and 2nd quarters of 2023 should be cancelled as of January 5, 2023 in the amount of \$5,604.45 and refunded in the amount of \$2,722.16, pursuant to the above provision; and

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millstone that the Tax Collector is hereby authorized to cancel real estate taxes on Block 54.01 Lot 17, 1 Old Noah Hunt Rd, Millstone, NJ; and

BE IT FURTHER RESOLVED a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to the Tax Collector, the Tax Assessor, Chief Financial Officer, and the Monmouth County Board of Taxation.

ROLL CALL:

AYES: DM/Morris, C/Zabrosky, C/Davis, C/McLaughlin, 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 February 1, 2023.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO. 23-65
MEETING DATE: 02-01-2023

**RESOLUTION DIRECTING TAX COLLECTOR TO REFUND
REAL ESTATES TAXES LISTED ON SCHEDULE A**

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

WHEREAS, a certain property owner has a credit balance on their account; and

WHEREAS, the following Taxpayer Schedule includes an Overpayment of Taxes; applicable to the block and lot and in the amount set forth; and

WHEREAS, the Tax Collector of the Township of Millstone has certified to the Township Committee of the Township of Millstone that the item designated with the word "REFUND" on Schedule A be refunded to the name appearing below.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the refund be made to the taxpayer appearing on Schedule A and the check for the aforesaid refund be issued by the Treasurer.

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to make corrections and notations upon the Municipal records as may be necessary to effect this Resolution.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Millstone that the Township Clerk is hereby authorized to forward a certified copy of the within Resolution to the Tax Collector and Treasurer and Township Administrator/CFO.

ROLL CALL:

AYES: DM/Morris, C/Zabrosky, C/Davis, C/McLaughlin, 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 February 1, 2023.

Kathleen Hart, RMC
Township Clerk

SCHEDULE A
2022 OVERPAYMENT OF TAXES – REFUND

Block 40.02 Lot 23	COOPER, THOMAS 9 EMMONS DRIVE MILLSTONE TWP, NJ 08510	\$3,236.01
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TOTAL		<u>\$3,236.01</u>
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TOTAL REFUND \$3,236.01

RESOLUTION NO. 23-66
MEETING DATE: 02-01-2023

RESOLUTION APPOINTING MEMBER TO THE OPEN SPACE PRESERVATION COUNCIL

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

BE IT RESOLVED by the Township Committee of the Township of Millstone that **Suzanne Ming**, is hereby appointed member of the Open Space Preservation Council to seat number seven (7) for a three (3) year term commencing January 1, 2023 and ending December 31, 2025.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Municipal Clerk to be a true copy, be forwarded to the Open Space Preservation Council and the appointee.

ROLL CALL:

AYES: DM/Morris, C/Zabrosky, C/Davis, C/McLaughlin, 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 February 1, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-67
MEETING DATE: 02-01-2023

**A RESOLUTION CONSENTING TO THE PROPOSED MONMOUTH COUNTY WATER
QUALITY MANAGEMENT (WQM) PLAN AMENDMENT FOR 27 BURNT TAVERN ROAD
AFFORDABLE HOUSING, BLOCK 57, LOT 16.03 (PORTION)**

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

WHEREAS, the Township of Millstone desires to provide for the orderly development of wastewater facilities within the Monmouth Water Quality Management Planning Area; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment, which has been prepared by Marathon Engineering, will be publicly noticed in the New Jersey Register on February 6, 2023 for 27 Burnt Tavern Road Affordable Housing, Block 57, Lot 16.03 (portion), Millstone Township, Monmouth County.

NOW, THEREFORE, BE IT RESOLVED on this 1st day of February, 2023, by the governing body of the Township of Millstone that:

1. The Township of Millstone hereby consents to the Burnt Tavern Road Affordable Housing amendment prepared by Marathon Engineering, which will be publicly noticed in the New Jersey Register on February 6, 2023, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP pursuant to N.J.A.C. 7:15-3.5(g)6.

ROLL CALL:

AYES: DM/Morris, C/Zabrosky, C/Davis, C/McLaughlin, 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 February 1, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-68
MEETING DATE: 02-01-2023

**A RESOLUTION CONSENTING TO THE PROPOSED MONMOUTH COUNTY WATER
QUALITY MANAGEMENT (WQM) PLAN AMENDMENT FOR 14 NOVAD COURT, BLOCK
57.01, LOT 21.02**

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

WHEREAS, the Township of Millstone desires to provide for the orderly development of wastewater facilities within the Monmouth Water Quality Management Planning Area; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment, which has been prepared by Marathon Engineering, will be publicly noticed in the New Jersey Register on February 6, 2023 for 14 Novad Court Affordable Housing, Block 57.01, Lot 21.02.

NOW, THEREFORE, BE IT RESOLVED on this 1st day of February, 2023, by the governing body of the Township of Millstone that:

1. The Township of Millstone hereby consents to the Novad Court Affordable Housing amendment prepared by Marathon Engineering, which will be publicly noticed in the New Jersey Register on February 6, 2023, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP pursuant to N.J.A.C. 7:15-3.5(g)6.

ROLL CALL:

AYES: DM/Morris, C/Zabrosky, C/Davis, C/McLaughlin, 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 February 1, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-69
MEETING DATE: 02-01-2023

**RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION
TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE TOWNSHIP OF
MILLSTONE**

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

WHEREAS, The Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated “congested area” the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Township of Millstone is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquito constituting either a nuisance, a health hazard or both with the understanding that:
 - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the Federal (USEPA) and State (NJDEP) agencies, and
 - b. Such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. The County will notify the police department/state police of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

ROLL CALL:

AYES: DM/Morris, C/Zabrosky, C/Davis, C/McLaughlin, 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 February 1, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO.: 23-70
ADOPTION DATE: 02-01-2023

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR PROFESSIONAL SERVICES TO LEON S. AVAKIAN, INC. TO PREPARE THE 2023
NJDEP TIER A MUNICIPAL STORMWATER GENERAL PERMIT RENEWAL
REQUIREMENTS

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

WHEREAS, the NJDEP released the final Stormwater Discharge Master General Permit Renewal requirements for all Tier A municipalities with an effective date of January 1, 2023 and expiring December 31, 2027; and

WHEREAS, there are existing stormwater permit mandates and many new or modified permit regulations that the Township of Millstone will be required to implement in phases over the next 5 years; and

WHEREAS, the Township of Millstone has a need for professional services in connection with the aforementioned stormwater permit mandates pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS Leon S. Avakian, Inc. proposes to review and update the Stormwater Pollution Prevention Plan (SPPP); to certify the Stormwater Permit Program – Annual Report and Supplemental Questionnaire; update the Stormwater Outfall Map; begin to develop a GIS based Stormwater Infrastructure Map of the entire stormwater conveyance system; begin to develop a Watershed Inventory Report and provide advisement and guidance on new or modified NJDEP stormwater regulations to municipal officials at a cost not to exceed \$11,500.00; and

WHEREAS, such professional services can only be provided by licensed professionals and the firm of Leon S. Avakian, Inc. 788 Wayside Road, Neptune, NJ 07753 is so recognized; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to retain Leon S. Avakian, Inc. for the proposed professional services in connection with the aforementioned stormwater permit mandates; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$11,500.00 for professional services as stated in Leon S. Avakian, Inc.'s proposal dated January 23, 2023; and

WHEREAS, Leon S. Avakian, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Leon S. Avakian, Inc. has not made any reportable

contributions to a political or candidate committee in the Township of Millstone in the previous one year and that the contract will prohibit Leon S. Avakian, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, Leon S. Avakian, Inc. has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account 3-01-26-310-175.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone hereby authorizes Leon S. Avakian, Inc. to prepare the 2023 NJDEP Tier A Municipal Stormwater General Permit Renewal requirements as outlined above at a cost not to exceed \$11,500.00.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk of the Township of Millstone are hereby authorized and directed to execute a professional services contract for the aforesaid services with Leon S. Avakian, Inc. and to cause notice of this decision to be published in accordance with N.J.S.A. 40A:11-5(1)(a)(i).

BE IT FURTHER RESOLVED, that a copy of this resolution certified as a true copy be sent to Leon S. Avakian, Inc., the Township Administrator and Amanda Salerno, Treasurer.

ROLL CALL:

AYES: DM/Morris, C/Zabrosky, C/Davis, C/McLaughlin, 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 February 1, 2023.

KATHLEEN HART, RMC
Municipal Clerk