

RESOLUTION NO. 23-140
MEETING DATE: 06-21-2023

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

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

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. Contracts
 3. Litigation
 4. Potential Litigation
 5. 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: **DM/Morris, C/Zabrosky, M/Ferro**
NAYS: **None**
ABSTAIN: **None**
ABSENT: **C/Davis, C/McLaughlin**

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on June 21, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-141
ADOPTION DATE: 06-21-2023

RESOLUTION TO READ BUDGET BY TITLE ONLY

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

WHEREAS, N.J.S. 40A:4-8, as amended by Chapter 95, P.L. 2015 provides that the public hearing shall be held at the time and place specified in the advertisement thereof, but may be adjourned from time to time until the hearing is closed. The budget shall be read, at the public hearing in full, or it may be read by its title, if

1. At least one week prior to the date of the hearing and at the hearing, a complete copy of the approved budget,

a. shall be made available for public inspection, and

b. shall be made available to each person upon request, and

2. The governing body shall, by resolution passed by not less than a majority of the full membership, determine that the budget shall be read by its title and declare that the conditions set forth in subsection 1. of this section have been met.

After closing the hearing, the governing body may adopt the budget, by title without amendments, or may approve amendments as provided in N.J.S.40A:4-9 before adoption.

WHEREAS, these two conditions have been met.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey that the budget shall be read by title only.

ROLL CALL:

AYES: **DM/Morris, C/Zabrosky, M/Ferro**

NAYS: **None**

ABSTAIN: **None**

ABSENT: **C/Davis, C/McLaughlin**

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on June 21, 2023.

Kathleen Hart, RMC
Municipal Clerk

SUMMARY OF APPROPRIATIONS

| | | |
|---|--------|-------------------------|
| 5. GENERAL APPROPRIATIONS: | xxxxxx | XXXXXXXXXXXXXX |
| Within "CAPS" | xxxxxx | XXXXXXXXXXXXXX |
| (a & b) Operations Including Contingent | 34-201 | \$ 4,656,750.00 |
| (e) Deferred Charges and Statutory Expenditures - Municipal | 34-209 | \$ 332,585.00 |
| (g) Cash Deficit | 46-885 | \$ - |
| Excluded from "CAPS" | xxxxxx | XXXXXXXXXXXXXX |
| (a) Operations - Total Operations Excluded from "CAPS" | 34-305 | \$ 311,414.06 |
| (c) Capital Improvements | 44-999 | \$ 1,590,000.00 |
| (d) Municipal Debt Service | 45-999 | \$ 2,343,488.75 |
| (e) Deferred Charges - Municipal | 46-999 | \$ - |
| (f) Judgments | 37-480 | \$ - |
| (n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3) | 29-405 | \$ - |
| (g) Cash Deficit | 46-885 | \$ - |
| (k) For Local District School Purposes | 29-410 | \$ - |
| (m) Reserve for Uncollected Taxes | 50-899 | \$ 781,916.74 |
| 6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13) | 07-195 | 0 |
| Total Appropriations | 34-499 | \$ 10,016,154.55 |

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 21st day of June, 2023. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2023 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 21st day of June, 2023, Kathleen Hart, Clerk
Signature

RESOLUTION NO. 23-143

SCHEDULE 23-06B S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON June 21, 2023

SEE SCHEDULE 23-06B ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 23-06B 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. 23-143
June 21, 2023

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 23-06B, June 21, 2023, Consolidated Bill List, and the vouchers listed below as Schedule 23-06B 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: \$ 903,424.73

SCHEDULE 23-06B S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 6,815.41

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 13,235.88

GRANT FUND

TOTAL GRANT FUND \$ 2,078.44

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 1,499.00

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 96.00

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 3,019.00

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 23,788.52

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 \$ 19,933.00

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 297.39

TOTAL FOR ALL FUNDS \$ 974,187.37

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 3,339.50

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 12,919.68

TOTAL FOR ESCROW \$ 16,259.18

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

AYES: DM/MORRIS, C/ZABROSKY, M/FERRO

NAYS: NONE

ABSTAIN: NONE

ABSENT: C/DAVIS, C/MCLAUGHLIN

RESOLUTION NO: 23-144
MEETING DATE: 06-21-2023

**RESOLUTION AUTHORIZING THE RENEWAL OF ALCOHOL BEVERAGE
2023-2024 LICENSE FOR VESUVIO'S FAMILY RESTAURANT, LLC,
LICENSE NO. 1332-33-001-010**

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

WHEREAS, application for renewal of Vesuvio's Family Restaurant, LLC. for the 2023-2024 Alcoholic Beverage License has been filed with the Municipal Clerk prior to the commencement of the new license term which is sought; and

WHEREAS, Notices of the application for renewal of Municipal Licenses, other than Seasonal Retail Consumption Licenses, issued by Municipal Issuing Authorities are not required to advertise Notice of Application. In lieu thereof, the director shall cause a General Notice of Application to be published once a week, from the week of April 1, through the week of June 1, in a newspaper printed in the English language and published and circulated in the Counties in which the premises of the application for such renewals are located; and

WHEREAS, the Municipal fee of \$2,500.00 has been received by the Municipal Clerk and no objections have been made to the renewal of said licenses; and

WHEREAS, said application is complete and in reliance upon the information contained therein.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Millstone, in the County of Monmouth, State of New Jersey, that the application of the below listed party be and is hereby approved for renewal of their Alcoholic Beverage License for the term year.

**PLENARY RETAIL CONSUMPTION LICENSE NO. 1332-33-001-010 TO
VESUVIO'S FAMILY RESTAURANT, LLC, LOCATED AT 221 MILLSTONE ROAD,
MILLSTONE TOWNSHIP, NJ 08535. EFFECTIVE DATE OF NEW LICENSE TERM,
JULY 1, 2023 TO JUNE 30, 2024. FEE PAID \$2,500.00**

BE IT FURTHER RESOLVED, that a copy of this Resolution, certified by the Municipal Clerk to be a true copy be forwarded to the Division of Alcoholic Beverage, CN 087, Trenton, N.J. 08625-0087 and to the applicant.

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Davis, C/McLaughlin

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of June 21, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-145
MEETING DATE: 06-21-2023

**RESOLUTION AUTHORIZING THE RENEWAL OF ALCOHOL
BEVERAGE 2023-2024 LICENSE FOR INDUS HOLDINGS, INC.
T/A BUY RITE LIQUORS, LICENSE NO. 1332-44-004-007**

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

WHEREAS, application for renewal of Indus Holdings, Inc. T/A Buy Rite Liquors, for the 2023-2024 Alcoholic Beverage License has been filed with the Municipal Clerk prior to the commencement of the new license term which is sought; and

WHEREAS, Notices of the application for renewal of Municipal Licenses, other than Seasonal Retail Consumption Licenses, issued by Municipal Issuing Authorities are not required to advertise, Notice of Application. In lieu thereof, the director shall cause a General Notice of Application to be published once a week, from the week of April 1, through the week of June 1, in a newspaper printed in the English language and published and circulated in the Counties in which the premises of the application for such renewals are located; and

WHEREAS, the Municipal fee of \$2,500.00 has been received by the Municipal Clerk and no objections have been made to the renewal of said licenses; and

WHEREAS, said application is complete and in reliance upon the information contained therein.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Millstone, in the County of Monmouth, State of New Jersey, that the application of the below listed party be and is hereby approved for renewal of their Alcoholic Beverage License for the term year.

PLENARY RETAIL DISTRIBUTION LICENSE NO. 1332-44-004-007 TO INDUS HOLDINGS, INC. T/A BUY RITE LIQUORS, LOCATED AT 514 ROUTE 33 WEST, MILLSTONE TWP., NJ. 08535. EFFECTIVE DATE OF NEW LICENSE TERM, JULY 1, 2023 TO JUNE 30, 2024. FEE PAID \$2,500.00.

BE IT FURTHER RESOLVED, that a copy of this Resolution, certified by the Municipal Clerk to be a true copy be forwarded to the Division of Alcoholic Beverage, CN 087, Trenton, N.J. 08625-0087 and to the applicant.

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Davis, C/McLaughlin

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of June 21, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-146
ADOPTION DATE: 06-21-2023

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN
MILLSTONE TOWNSHIP BOARD OF EDUCATION AND MILLSTONE TOWNSHIP
FOR EQUIPMENT/VEHICLE MAINTENANCE**

C/**Zabrosky** offered the following Resolution and moved its adoption which was second by **DM/Moris**.

WHEREAS, Millstone Township has the need for Equipment/Vehicle Maintenance services to be provided to various Equipment/Vehicles owned by the Township; and

WHEREAS, the Millstone Township Board of Education wishes to assist and cooperate with the Township to meet this need; and

WHEREAS, Millstone Township and the Millstone Township Board of Education have agreed to enter into a Shared Services Agreement, effective July 1, 2023 through June 30, 2024 at an hourly rate of \$65.00, pursuant to N.J.S.A. 40A:65-1 et. seq.; and

WHEREAS, the form of Agreement to be entered into is on file in the Township Clerk's office and may be inspected by members of the public during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Township Administrator and Township Clerk are hereby authorized to execute a Shared Services Agreement for maintenance services inclusive of Equipment/Vehicle Maintenance to be provided to various Equipment/Vehicles owned by the Township.

BE IT FURTHER RESOLVED that the initial term of this agreement shall be for one (1) year and shall automatically renew for additional terms for one (1) year for a maximum of three (3) years, unless either party provides the other party with written notice by certified mail

at least sixty (60) days before the expiration of the yearly term that it does not wish to renew this agreement.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy be forwarded to the Millstone Township Board of Education, Millstone Township Administrator, Millstone Township Treasurer and to the New Jersey Department of Community Affairs, Division of Local Government Services.

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Davis, C/McLaughlin

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of June 21, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-147
MEETING DATE: 06-21-2023

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN
MILLSTONE TOWNSHIP AND MILLSTONE TOWNSHIP BOARD OF EDUCATION
FOR UPLOADING BOE MEETING TO TOWNSHIP WEBSITE**

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

WHEREAS, the Millstone Township Board of Education has the need for their meetings to be uploaded and converted to the Township's website to provide the resident with access to view the Board of Education meetings via a computer; and

WHEREAS, Millstone Township wishes to assist and cooperate with the Board of Education to meet this need; and

WHEREAS, Millstone Township and the Millstone Township Board of Education have agreed to enter into a Shared Services Agreement pursuant to N.J.S.A. 40A:65-1 et. seq.; and

WHEREAS, the form of Agreement to be entered into is on file in the Township Clerk's office and may be inspected by members of the public during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Mayor or Township Administrator and Municipal Clerk are hereby authorized to execute a Shared Services Agreement for video uploading of Board of Education meetings at a cost not to exceed \$35.00 each through June 30, 2024.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Municipal Clerk to be a true copy be forwarded to the Millstone Township Board of Education, Millstone Township Administrator, Millstone Township Treasurer and to the New Jersey Department of Community Affairs, Division of Local Government Services.

ROLL CALL:

AYES: **DM/Morris, C/Zabrosky, M/Ferro**
NAYS: **None**
ABSTAIN: **None**
ABSENT: **C/Davis, C/McLaughlin**

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of June 21, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO.: 23-148
ADOPTION DATE: 06-21-2023

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN
MILLSTONE TOWNSHIP AND MILLSTONE TOWNSHIP BOARD OF EDUCATION
FOR MAINTENANCE SERVICES FOR HVAC AND ELECTRICAL**

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

WHEREAS, Millstone Township has the need for maintenance services inclusive of HVAC and Electrical to be provided to various facilities owned by the Township; and

WHEREAS, the Millstone Township Board of Education wishes to assist and cooperate with the Township to meet this need; and

WHEREAS, Millstone Township and the Millstone Township Board of Education have agreed to enter into a Shared Services Agreement pursuant to N.J.S.A. 40A:65-1 et. seq.; and

WHEREAS, the form of Agreement to be entered into is on file in the Township Clerk's office and may be inspected by members of the public during regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Mayor or Township Administrator and Municipal Clerk are hereby authorized to execute a Shared Services Agreement for maintenance services inclusive of HVAC and electrical to be provided to various facilities owned by the Township from July 1, 2023 through June 30, 2024.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy be forwarded to the Millstone Township Board of Education, Millstone Township Administrator, Millstone Township Treasurer and to the New Jersey Department of Community Affairs, Division of Local Government Services.

ROLL CALL:

AYES: DM/Morris, C/Zabrosky, M/Ferro
NAYS: None
ABSTAIN: None
ABSENT: C/Davis, C/McLaughlin

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of June 21, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-150
MEETING DATE: 06-21-2023

**RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF
AGREEMENT BETWEEN THE MONMOUTH COUNTY BOARD OF HEALTH AND
THE TOWNSHIP OF MILLSTONE FOR THE PROVISION OF LOCAL PUBLIC
HEALTH SERVICES**

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

WHEREAS, the Monmouth County Board of Health, through the Monmouth County Health Department (the "County"), provides State mandated local health services pursuant to the Local Health Services Act, *N.J.S.A. 26:3A2-1 et seq.* and the Public Health Practice Standards of Performance for Local Boards of Health in New Jersey, *N.J.A.C. 8:52-1 et seq.*; and

WHEREAS, there must be a Board of Health in every municipality in the State, whether through its own individual municipal local health agency or through another agency such as a county health department; and

WHEREAS, the County serves as the health department for various towns throughout Monmouth County by virtue of contractual agreements; and

WHEREAS, the Township of Millstone (the "Municipality") is in need of the provision of local health services, and the County desires to provide these health services to the Municipality.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Millstone, that the Mayor and Municipal Clerk be and are hereby authorized to execute a Memorandum of Agreement with the Monmouth County Board of Health for the Provision of Local Public Health Services, which includes the following terms and conditions:

1. The County hereby accepts the Municipality as a member in the Monmouth County Board of Health system effective January 1, 2023. The County agrees to provide the Municipality with any and all current and future State mandated public health services required by statute, law, code regulation and/or directive which shall satisfy any and all health service obligations of the Municipality. The County further agrees that its employees, agents, and servants shall provide all aforesaid services in an efficient, timely manner.
2. The County's Health Department is designated as the statutorily recognized local health agency for the Municipality.
3. The County's Public Health Coordinator is designated as the full-time health officer for the Municipality for all public health services and activities.
4. The Public Health Coordinator shall provide technical and professional services to assure the provision of core public health services, along with any elected services, that meet the standards set forth in in the Public Health Practice Standards of Performance for Local Boards of Health in New Jersey, *N.J.A.C. 8:52-1 et seq.*

5. The Public Health Coordinator shall assess public health needs, plan, organize and implement public health activities within the Municipality.

BE IT FURTHER RESOLVED, that the Township Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution.

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Monmouth County Administrator and the Monmouth County Health Department.

ROLL CALL:

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

NAYS: None

ABSTAIN: None

ABSENT: C/Davis, C/McLaughlin

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of June 21, 2023.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO: 23-151
MEETING DATE: 06-21-2023

**RESOLUTION APPOINTING DEPARTMENT OF
PUBLIC WORKS WORKING FOREMAN**

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

WHEREAS, the Administrator has indicated that Kenneth Surgent status as DPW Crew Chief shall be changed to the position of DPW Working Foreman effective January 1, 2023, at annual salary of \$79,040; and

WHEREAS, the Township Committee has ratified the Memorandum of Agreement between the Township of Millstone and the CWA local 1075, and agreed to the position change.

NOW, THEREFORBE BE IT RESOLVED that a copy of this resolution, certified by the Township Clerk to be a true copy be forwarded to Kenneth Surgent, Kevin Abernethy - Administrator and Amanda Salerno - Treasurer

ROLL CALL:

AYES: DM/Morris, C/Zabrosky, M/Ferro
NAYS: None
ABSTAIN: None
ABSENT: C/Davis, C/McLaughlin

I HEREBY CERTIFY the foregoing to be a true copy of the resolution adopted by the Millstone Township Committee at its meeting of June 21, 2023.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO.: 23-152
MEETING DATE: 06-21-2023

AUTHORIZING A COOPERATIVE PROJECT AGREEMENT WITH THE COUNTY OF MONMOUTH UNDER ITS MUNICIPAL LAND PRESERVATION INCENTIVE PROGRAM FOR THE ACQUISITION OF REAL PROPERTY KNOWN AND DESIGNATED AS BLOCK 52, LOT 7 AND BLOCK 51, LOT 10 MORE COMMONLY KNOWN AS 18 SPRING ROAD ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MILLSTONE, MONMOUTH COUNTY, NEW JERSEY

C/Zabrosky offered the following resolution and moved its adoption, which was second by DM/Morris.

WHEREAS, the Township of Millstone adopted Ordinance Number 22-12 for the acquisition of BLOCK 52, LOT 7 AND BLOCK 51, LOT 10 more commonly known as 18 Spring Road, to be included in the Township's Open Space and Recreation Plan and recommended for preservation by the Township's Open Space Committee, for a purchase price of \$2,600,000.00; and

WHEREAS, the Township has sought out additional funding sources in addition to its dedicated Open Space Trust Fund to offset the acquisition cost, including New Jersey Green Acres under its Planning and Incentive Grant ("PIG") Program; and

WHEREAS, upon the Township's satisfaction of PIG Program conditions, Green Acres has agreed to fund the acquisition at 30.4% of the purchase price of \$2,600,000.00 or \$790,192.75 under the Local and Non-Profit Assistance Program; and

WHEREAS, the MONMOUTH CONSERVATION FOUNDATION ("MCF") has agreed to fund the acquisition at 19.2% of the purchase price of \$2,600,000.00 or \$500,000.00 from their MCF Green Acres fund account; and

WHEREAS, the combined commitment of Green Acres and MCF results in funding the acquisition at 49.6% of its purchase price of \$2,600,000.00 or \$1,290,192.75; and

WHEREAS, the County of Monmouth recently initiated a program ("MUNICIPAL LAND PRESERVATION INCENTIVE PROGRAM" or "PROGRAM") to expand park, historic preservation, and open space opportunities for Monmouth County residents by providing funding to assist municipalities with park and open space acquisitions; and

WHEREAS, under the PROGRAM, the County of Monmouth will fund up to 75% of the acquisition cost not covered by Green Acres, which amounts to \$982,355; and

WHEREAS, the TOWNSHIP is requesting funding, under the PROGRAM, of 50% of the acquisition cost not covered by Green Acres, which amounts to \$655,000; and

WHEREAS, the County of Monmouth PROGRAM requires the entering into a Cooperative Project Agreement memorializing the terms and conditions of the County's participation in a municipal acquisition project; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act") permits units of local government to share services for particular purposes and to effectuate agreements for any service of circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, the Township of Millstone ("Millstone") and the County of Monmouth ("the County") are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey law to enter into a Cooperative Project Agreement pursuant to the Act; and

WHEREAS, the County of Monmouth, through its dedicated Open Space Trust Fund has the ability and desires to incentivize the funding of municipal land acquisition for the purposes of open space preservation; and

WHEREAS, the County of Monmouth and the Township of Millstone have negotiated a Cooperative Project Agreement, in a form substantially similar to that which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein; and

WHEREAS, the Monmouth County Board of County Commissioners, the Monmouth County Board of Recreation Commissioners, and the Township Committee of the Township of Millstone have an interest in preserving open space in Millstone and throughout Monmouth County, with the goal of improving the quality of life for all residents, and are in full support of this agreement to facilitate the acquisition of BLOCK 52, LOT 7 AND BLOCK 51, LOT 10 more commonly known as 18 SPRING ROAD in the Township of Millstone.

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

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Cooperative Project Agreement shall be open to public inspection in the Clerk's office and shall take effect upon adoption of a resolution and execution of the agreement by both the Monmouth County Board of County Commissioners and the Township Committee of the Township of Millstone.
3. The Mayor and Clerk are hereby authorized to execute a Cooperative Project Agreement in a form substantially similar to that which is annexed hereto as EXHIBIT A.
4. Kevin Abernethy, Township Administrator, is authorized to provide additional information and furnish such documents as may be required to facilitate the acquisition and act as the principal contact person and correspondent for the Township of Millstone.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. The County of Monmouth
- b. Millstone Township Administrator
- c. Millstone Chief Financial Officer

ROLL CALL:

AYES: DM/Morris, C/Zabrosky, M/Ferro
NAYS: None
ABSTAIN: None
ABSENT: C/Davis, C/McLaughlin

I HEREBY CERTIFY the foregoing to be a true copy of the resolution adopted by the Millstone Township Committee at its meeting of June 21, 2023.

Kathleen Hart, RMC
Municipal Clerk