

RESOLUTION NO. 23-207
MEETING DATE: 10-18-2023

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/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. Personnel
 3. Litigation
 4. Potential 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 October 18, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-208

SCHEDULE 23-10B S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON October 18, 2023

SEE SCHEDULE 23-10B ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 23-10B 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. 23-208
October 18, 2023

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 23-10B, October 18, 2023, Consolidated Bill List, and the vouchers listed below as Schedule 23-10B 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: \$ 184,875.53

SCHEDULE 23-10B S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 6,316.25

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 5,947.80

GRANT FUND

TOTAL GRANT FUND \$ 1,713.00

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 1,054.42

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 64.50

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 2,088.00

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 12,712.50

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 \$ 3,550.00

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 245.19

TOTAL FOR ALL FUNDS \$ 218,567.19

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 1,681.00

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 8,710.20

TOTAL FOR ESCROW \$ 10,391.20

RESOLUTION WAS OFFERED BY COMMITTEEPERSON MCLAUGHLIN
AND MOVED ITS ADOPTION;
MOTION WAS SECOND BY COMMITTEEPERSON ZABROSKY
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: 23-209
MEETING DATE: 10-18-2023

**RESOLUTION AUTHORIZING EXECUTION OF CORRECTIVE PARTIAL RELEASE
OF DEVELOPER'S AGREEMENT FOR MECO, INC., SUBDIVISION NO. PMSF 01-08**

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

WHEREAS, on March 21, 2012, the Township adopted Resolution No. 12-75 authorizing the execution of a Partial Release of Developer's Agreement (hereafter Partial Release) for Meco, Inc., Subdivision No. PMSF 01-08, Block 16, Lots 9.02, 9.03, 9.04 and 10.01; and

WHEREAS, the Resolution provided that the Developer could be released from all terms of the Developer's Agreement except for paragraph No. 9 of the Developer's Agreement which provided that the detention basin on the property would be privately owned and maintained by the property owner; and

WHEREAS, the Resolution further provided that paragraph No. 9 from the Developer's Agreement be attached to the Partial Release; and

WHEREAS, when the Partial Release was recorded in the Monmouth County Clerk's Office, paragraph No. 9 from a Developer's Agreement for 200 Meco Drive, LLC, Application No. Z06-08, Block 16, Lot 10.06 was inadvertently attached to the Partial Release (attached hereto as Exhibit A); and

WHEREAS, it is necessary that a Corrective Partial Release of Developer's Agreement be recorded to include paragraph No. 9 from Meco, Inc.'s Developer's Agreement for

Subdivision No. PMSF 01-08 indicating that maintenance of the Detention Basin must remain in effect.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the Mayor is hereby authorized to execute and the Township Clerk to attest the Corrective Partial Release of Developer's Agreement attached hereto as Exhibit B.

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 to the attorney for Meco, Inc., Kenneth L. Pape, Esq., 516 State Route 33, Millstone, New Jersey, 08535.

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 October 18, 2023.

KATHLEEN HART, RMC
Township Clerk

**RESOLUTION NO. 23-210
MEETING DATE 10-18-2023**

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJSA 40A:4-87
(2023 DMHAS YOUTH LEADERSHIP GRANT)**

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

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Millstone, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an additional item of revenue in the budget of the year 2023, which represents the grant money received in 2023, in the sum of \$3403.78, which is now being appropriated for the FY23 DMHAS Youth Leadership Grant, in the amount of \$3,403.78.

BE IT FURTHER RESOLVED, that the like sum of \$3,403.78 is hereby appropriated under the caption 2023 DMHAS Youth Leadership Grant.

BE IT FURTHER RESOLVED that the above is the result of funds from the FY23 DMHAS Youth Leadership Grant in the amount of \$3,403.78.

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 Township Committee of the Township of Millstone at its regular meeting held on October 18, 2023.

Kathleen Hart, RMC
Township Clerk

**RESOLUTION NO. 23-211
MEETING DATE 10-18-2023**

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJSA 40A:4-87
(2023 Municipal Alliance Grant)**

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

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Millstone, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an additional item of revenue in the budget of the year 2023, which represents the additional grant money received in 2023, in the sum of \$9,990.00, which is now being appropriated for the 2023 Municipal Alliance Grant, in the additional amount of \$9,990.00.

BE IT FURTHER RESOLVED, that the like sum of \$9,990.00 is hereby appropriated under the caption 2023 Municipal Alliance Grant.

	<u>Jan 1 – Jun 30</u>		<u>Jul 1 – Dec 31</u>
DEDR	\$4,995.00	DEDR	\$4,995.00

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 Township Committee of the Township of Millstone at its regular meeting held on October 18, 2023.

Kathleen Hart, Township Clerk

RESOLUTION NO. 23-212
ADOPTION DATE: 10-18-2023

RESOLUTION AUTHORIZING ADOPTION OF AMENDMENTS TO THE
TOWNSHIP'S EMPLOYEE HANDBOOK ENTITLED "PERSONNEL POLICIES
AND PROCEDURES MANUAL"

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

WHEREAS, the Township determined that certain amendments and updates to the Employee Handbook are required to incorporate changes in State and Federal law and based on recommendations from the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, the Township determined that it is necessary to distribute a revised Employee Handbook to all employees; and

WHEREAS, the adoption of a revised Employee Handbook (entitled the "Personnel Policies and Procedures Manual") and distribution of the revised Personnel Policies and Procedures Manual will protect the interests and rights of both the Township and its employees; and

WHEREAS, the Township has made certain amendments and updates to the current Personnel Policies and Procedures Manual to conform with the requirements set forth above; and

WHEREAS, the revised Personnel Policies and Procedures Manual will be distributed to all Township employees; and

WHEREAS, the Township employees will acknowledge receipt of the revised Personnel Policies and Procedures Manual.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Millstone that the aforesaid revised Personnel Policies and Procedures Manual be and is hereby accepted and adopted.

BE IT FURTHER RESOLVED, that copies of the revised Personnel Policies and Procedures Manual shall be distributed to all employees, as applicable.

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

BE IT FURTHER RESOLVED, that 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 Millstone Township Committee at its meeting of October 18, 2023.

KATHLEEN HART, Township Clerk

RESOLUTION NO. 23-213
MEETING DATE: 10-18-2023

**RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE
A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR “SAFE ROUTES TO SCHOOL PROGRAM FOR
MILLSTONE TOWNSHIP MIDDLE SCHOOL TO WAGNER FARM PARK”**

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

WHEREAS, the Township Millstone wishes to apply to the New Jersey Department of Transportation requesting funding under the Safe Routes to School Program for an application entitled “Safe Routes to School Program for Millstone Township Middle School to Wagner Farm Park”.

WHEREAS, the total construction estimate for these improvements is \$410,000.00. and \$400,000.00 in State funds are anticipated, and the Township of Millstone will contribute \$112,500.00 towards the total construction plus administrative and engineering costs.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SRS-1-2024-Millstone Township-00049 to the New Jersey Department of Transportation on behalf of the Township of Millstone.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign a grant agreement on behalf on the Township of Millstone and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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 October 18, 2023.

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Kathleen Hart, RMC
Municipal Clerk

Al Ferro
Mayor

RESOLUTION NO. 23-214
MEETING DATE: 10-18-2023

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT WITH ROOSEVELT
BOROUGH FOR CERTIFIED MUNICIPAL RECYCLING COORDINATOR AND RECYCLING
REPORTING SERVICES**

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

WHEREAS, N.J.S.A.40A:65-4 as part of the Uniform Shared Services and Consolidation Act, authorizes local units to enter into an Agreement to provide or receive any service that each local unit participating in the Agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Township of Millstone and Roosevelt Borough wish to enter into an Agreement for the purposes of:

1. Millstone will provide Certified Municipal Recycling Coordinator and Recycling Reporting Services to Roosevelt for a cost not to exceed \$200.00 annually.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Millstone as following:

1. The Mayor and Township Clerk are hereby authorized to execute a Shared Services Agreement for Certified Municipal Recycling Coordinator and Recycling Reporting Services.
2. A copy of the executed Agreement shall be maintained in the Office of the Township Clerk and available for public inspection during regular business hours.

BE IT FURTHER RESOLVED that a copy of this Resolution certified to be a true copy by the Township Clerk, be forwarded to each of the following:

1. Borough Clerk, Borough of Roosevelt.
2. Dan Specht, Millstone Township Recycling Coordinator
3. Millstone Township Treasurer
4. Millstone Township CFO
5. Department of Community Affairs, Division of Local Government Services.

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 October 18, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO.: 23-215
MEETING DATE: 10-18-2023

**RESOLUTION AUTHORIZING THE TOWNSHIP OF MILLSTONE TO
PARTICIPATE IN INTRA-COUNTY MUTUAL AID AND ASSISTANCE
AGREEMENTS WITH PARTICIPATING UNITS IN THE COUNTY OF MONMOUTH**

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

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. Seq., (“Act”) provides that any local governmental unit may enter into a contract with any other local governmental unit to provide or receive any service that each local unit is empowered to provide or receive within its own jurisdiction; and

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, emergency medical service, fire departments, fire companies, or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (“NIMS”), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. seq., provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the “Fire Service Resource Emergency Deployment Act,” N.J.A.C. 52:14E-11 et. seq., commonly referred to as the “Fire Service Resource Emergency Deployment Regulations” N.J.A.C. 5:75A et. seq.; and

WHEREAS, the TOWNSHIP COMMITTEE of the TOWNSHIP OF MILLSTONE deem it to be in the best interests of the TOWNSHIP OF MILLSTONE to enter into Mutual Aid and Assistance Agreements with governmental entities throughout Monmouth County and all of their departments, authorities, boards, commissions and other functions under the auspices of each participating governmental entity including but not limited to, law enforcement, public works, emergency medical services, emergency management, human services, hazardous materials response unit technical or special operations teams, Community Emergency Response

Team (“CERT”) members, Medical Reserve Corps (“MRC”) members or other volunteers and other jurisdictions defined “local governments” in the Homeland Security Act of 2002; and

WHEREAS, N.J.S.A. 40A: 14-26 AND 156.1 etseq. has authorized interjurisdictional mutual aid; and

WHEREAS, the TOWNSHIP COMMITTEE of the TOWNSHIP OF MILLSTONE and the Participating Units recognize the benefit of entering into an Agreement for mutual aid and assistance with each other to protect against loss, damage or destruction by fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe and to address those situations when additional aid and assistance is needed to protect the best interests of the persons and property of each individual jurisdiction.

NOW, THEREFORE, BE IT RESOLVED that the Intra-County Mutual Aid and Assistance Agreements between the TOWNSHIP OF MILLSTONE and Participating Units be and are hereby accepted.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to execute the Intra-County Mutual Aid and Assistance Agreements once they have been authorized and executed by each Participating Unit.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified true copy of this resolution to the Monmouth County Sheriff; Office of Emergency Management Coordinator; and New Jersey State Police and Millstone Township Fire Department.

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 Township Committee of the Township of Millstone on October 18, 2023.

Kathleen Hart, RMC
Municipal Clerk