

RESOLUTION NO. 23-110
MEETING DATE: 04-19-2023

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/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

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/McLaughlin, C/Zabrosky, M/Ferro**
NAYS: **None**
ABSTAIN: **None**
ABSENT: **C/Davis, 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 on April 19, 2023.

Kathleen Hart, RMC
Municipal Clerk

RESOLUTION NO. 23-111

SCHEDULE 23-03B S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON April 19, 2023

SEE SCHEDULE 23-04B ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 23-04B 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. 23-111
April 19, 2023

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 23-04B, April 19, 2023, Consolidated Bill List, and the vouchers listed below as Schedule 23-04B 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: \$ 222,510.87

SCHEDULE 23-04B S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 6,311.61

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 0.00

GRANT FUND

TOTAL GRANT FUND \$ 1,730.77

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 100.00

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 0.00

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 3,750.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 100.80

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 9,814.30

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 \$ 13,228.07

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 720.24

TOTAL FOR ALL FUNDS \$ 258,266.66

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 52.00

DEVELOPERS ESCROW ACCOUNT OVER \$5,000

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 310.40

TOTAL FOR ESCROW \$ 362.40

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/Zabrosky, C/McLaughlin, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: C/Davis, DM/Morris

RESOLUTION NO. 23-113
MEETING DATE: 04-19-2023

RESOLUTION APPOINTING SPECIAL COUNSEL WITH RESPECT TO AFFORDABLE HOUSING OBLIGATIONS AND AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES

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

WHEREAS, the Township of Millstone requires special counsel with respect to Affordable Housing Obligations; and

WHEREAS, such specialized legal services can only be provided by licensed professionals and Jeffrey R. Surenian, Esq. of the law firm Surenian, Edwards, Buzak & Nolan, LLC is so recognized; and

WHEREAS, Jeffrey Surenian, Esq. has submitted a proposal dated April 6, 2023 to provide special counsel services with respect to Affordable Housing Obligations; and

WHEREAS, Surenian, Edwards, Buzak & Nolan, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that they have 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 them from making any reportable contributions through the term of the contract; and

WHEREAS, the law firm of Surenian, Edwards, Buzak & Nolan, LLC has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c271; and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, for the period of March 19, 2023 through December 31, 2023 for an amount not to exceed \$30,000.00, at an hourly rate of \$200.00 per hour for Jeffrey R. Surenian Esq., Michael J. Edwards, Esq. or Edward J. Buzak, Esq; \$190.00 per hour for Erik C. Nolan, Esq., \$175.00 per hour for the Firm's associates: Christine M. Faustini, Esq., Nancy L. Holm, Esq., William E. Olson, Esq., Susan L. Crawford, Jacqueline Gioioso, Esq., Keli L. Gallo, Esq; and \$90.00 per hour for paralegal work; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account T-15-56-100-001.

NOW THEREFORE, BE IT RESOLVED that the Township of Millstone does hereby authorize the award of a non-fair and open contract for professional services, for the period of April 19, 2023 through December 31, 2023, and appoints Jeffrey Surenian, Esq., of the law firm of Surenian, Edwards, Buzak & Nolan, LLC to provide special counsel with respect to Affordable Housing Obligations for an amount not to exceed \$30,000.00.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) because it is for services performed by persons authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk of the Township of Millstone are hereby authorized and directed to execute a professional services contract for the aforesaid services with Surenian, Edwards, Buzak & Nolan, LLC and to cause notice of this decision to be published according to N.J.S.A. 40A:11-5 (1)(a)(i).

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 Chief Financial Officer, Township Administrator and Surenian, Edwards, Buzak & Nolan, LLC.

ROLL CALL:

AYES: C/Zabrosky, C/McLaughlin, M/Ferro
NAYS: None
ABSTAIN: None
ABSENT: C/Davis, 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 April 19, 2023.

Kathleen Hart, RMC
Township Clerk

RESOLUTION NO. 23-114
MEETING DATE: 04-19-2023

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

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

WHEREAS, a certain property has had assessment changes for the year 2023; and

WHEREAS, this property will be exempt from taxes for the year 2023; and

WHEREAS, the following Taxpayer Schedule includes Preliminary Taxes that were billed on said property for 2023 that will be cancelled; and

WHEREAS, the Tax Collector of the Township of Millstone has certified to the Township Committee of the Township of Millstone that the items designated with the word "CANCEL" on Schedule A be cancelled to the names appearing below; and

WHEREAS, the 2023 final/2024 preliminary taxes should also be cancelled in the amount that has been entered in the 2023 Extended Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that the cancellations be made to the property appearing on Schedule A.

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 affect 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 Tax Collector, the Chief Financial Officer, and the Monmouth County Board of Taxation.

ROLL CALL:

AYES: C/Zabrosky, C/McLaughlin, 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 April 19, 2023.

Kathleen Hart, RMC
Township Clerk

SCHEDULE A
2023 PRELIMINARY TAXES – CANCEL

Block 14 Lot 4.04Q	MONMOUTH COUNTY WITCH'S HOLLOW ROAD MILLSTONE, NJ 08510	\$ 76.11
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TOTAL		<u>\$ 76.11</u>
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TOTAL CANCELLED \$ 76.11

RESOLUTION NO. 23-115
MEETING DATE: 04-19-2023

**RESOLUTION APPOINTING SEASONAL CLEAN COMMUNITIES EMPLOYEE –
RYAN KRUMFOLZ**

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

WHEREAS, Millstone Township’s Clean Communities Program allows for the hiring of seasonal employees;

WHEREAS, the Administrator, the Clean Communities Coordinator and the DPW Coordinator are in agreement that Ryan Krumfolz be offered this seasonal position at a rate of \$17.00 an hour for a maximum of 28-hours per week.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Millstone that Ryan Krumfolz is appointed as a Seasonal Clean Communities employee effective April 24, 2023.

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

- (1) Jason Borsuk, Clean Communities Coordinator
- (2) Dan Specht, DPW Coordinator
- (3) Kevin Abernethy – Township Administrator
- (4) Amanda Salerno, Treasurer
- (5) Ryan Krumfolz

ROLL CALL:

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

NAYS: **None**

ABSTAIN: **None**

ABSENT: **C/Davis, 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 April 19, 2023.

Kathleen Hart, RMC
Municipal Clerk