

**RESOLUTION NO. 23-131**  
**MEETING DATE: 06-07-2023**

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

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**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. 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:** C/Davis, C/McLaughlin, C/Zabrosky, M/Ferro  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** 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 June 7, 2023.

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Kathleen Hart, RMC  
Municipal Clerk

**RESOLUTION NO. 23-132**  
**MEETING DATE: 06-07-2023**

**RESOLUTION TO ADOPT TEMPORARY EMERGENCY**  
**APPROPRIATIONS #4**

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

**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 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total **\$1,573,577.60**.

**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 2023 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>OE</u>
Health Waiver	\$ 6,000
Vehicle Maintenance	2,000
Building & Grounds	1,000
Sub-Total	\$ 9,000
<b>TOTAL</b>	<b>\$9,000</b>

**ROLL CALL:**

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** 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 at its regular meeting held on June 7, 2023.

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Kathleen Hart, RMC  
Municipal Clerk

**RESOLUTION NO. 23-133**  
**MEETING DATE: 06-07-2023**

**RESOLUTION CONDITIONALLY APPROVING A ONE YEAR EXTENSION OF THE  
MINING PERMIT FOR BUCK MINING AND MATERIALS, INC., BLOCK 28, LOTS 11  
& 13.01**

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

WHEREAS, by way of Resolution 22-166, duly adopted on August 3, 2022, Buck Mining and Materials (“Buck Mining”) whose address is 126 Bennett Place, Hightstown, New Jersey 08520 was issued a conditional mining permit for a period of one-year, expiring June 30, 2023; and

WHEREAS, Buck Mining has made application for an extension of its mining permit for the purposes of continuing to conduct mining activities on Lots 11 and 13.01 in Block 28 (Pine Hill Road), as designated on the Millstone Township Tax Map; and

WHEREAS, the application has been reviewed by the Township Engineer who has recommended conditional approval of the mining permit; and

WHEREAS, at its meeting of May 17, 2023, the Township Committee of the Township of Millstone held a public hearing on the application, at which time William Stone from Buck Mining appeared and was heard by the Township Committee; and

WHEREAS, the Township Committee of the Township of Millstone has determined that, subject to the conditions set forth herein, a conditional mining permit may be issued for a one-year extension for the period ending June 30, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that a conditional mining permit may be issued for a one-year extension for the period ending June 30, 2024, subject to the following conditions:

1. Buck Mining will comply with all Township requirements as set forth in the Township Code, including but not limited to, Chapter 22-1 et. seq.
2. Any damage caused by trucks to Pinehill Road will be restored by Buck Mining.
3. Buck Mining will provide monthly reports of the status of their operation to the Township Engineer.
4. Buck Mining will update proof of general liability insurance upon expiration.

5. Trucks leaving the mining site are required to turn right onto Pinehill Road and travel west to Millstone Road. The route then continues south along Millstone Road to Sweetman's Lane to Route 33. Trucks coming to the mine are required to use the same route. Any revisions to the approved haul route will require Township Committee review and approval.

BE IT FURTHER RESOLVED that this Resolution is a resolution of memorialization of the action taken by the Township Committee of the Township of Millstone on May 17, 2023 and effective as of that date.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy, be forwarded to the Applicant, the Township Engineer and the Township Attorney.

ROLL CALL:

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro  
NAYS: None  
ABSTAIN: None  
ABSENT: 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 June 7, 2023.

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KATHLEEN HART, RMC  
Township Clerk

**RESOLUTION NO. 23-134  
MEETING DATE: 06-07-2023**

**RESOLUTION AUTHORIZING THE RENEWAL OF ALCOHOL BEVERAGE 2023-  
2024 LICENSE FOR DOMAL RESTAURANT CORP.  
LICENSE NO. 1332-33-003-010**

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

**WHEREAS**, application for renewal of Domal Restaurant Corp., 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. 1332-33-003-010 TO  
DOMAL RESTAURANT CORP., POCKET LICENSE. EFFECTIVE DATE OF NEW  
LICENSE TERM, JULY 1, 2023 TO JUNE 30, 2024. FEE PAID \$2,500.**

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** 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 June 7, 2023.

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Kathleen Hart, RMC  
Municipal Clerk

**RESOLUTION NO: 23-135**  
**MEETING DATE: 06-07-2023**

**RESOLUTION APPOINTING DEPARTMENT OF  
PUBLIC WORKS ASSISTANT CREW CHIEF**

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

**WHEREAS**, the Administrator has indicated that Al Nowakowski's status as DPW Senior Operator iii shall be changed to the position of DPW Assistant Crew Chief effective January 1, 2023, at an hourly rate of \$27.00 per hour; 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; and

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

**ROLL CALL:**

AYES: C/Zabrosky, C/Davis, C/McLaughlin, M/Ferro  
NAYS: None  
ABSTAIN: None  
ABSENT: 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 June 7, 2023.

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Kathleen Hart, RMC  
Township Clerk

TOWNSHIP OF MILLSTONE  
RESOLUTION NO. 23-136  
ADOPTION DATE: 06-07-2023

RESOLUTION TO AFFIRM THE TOWNSHIP OF MILLSTONE CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

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

WHEREAS, it is the policy of the Township of Millstone to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to, the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and,

WHEREAS, the governing body of the Township of Millstone determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone that:

Section 1: No official, employee, appointee or volunteer of the Township of Millstone by whatever title known, or any entity that is in any way a part of the Township of Millstone shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer or entity is engaged in or acting on behalf of the Township of Millstone's business or using the facilities or property of the Township of Millstone.

Section 2: The prohibitions and requirements of this Resolution shall extend to any person or entity, including but not limited to, any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Millstone to provide services that otherwise could be performed by the Township of Millstone.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this Resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this Resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.



Section 6: The Township Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Millstone as well as all other entities subject to this Resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this Resolution.

Section 7: The Township Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Township Administrator shall cause a summary of this Resolution and the procedures established pursuant to this Resolution to be communicated within the Township of Millstone. This communication shall include a statement from the Governing Body expressing its unequivocal commitment to enforce this Resolution. This Resolution shall be posted on the Township of Millstone web site.

Section 9: This Resolution shall take effect immediately.

Section 10: A copy of this Resolution shall be published in the official newspaper of the Township of Millstone in order for the public to be made aware of this policy and the Township of Millstone's commitment to the implementation and enforcement of this policy.

Section 11. A certified copy of this Resolution shall be forwarded to the Township Administrator, the Chief Financial Officer, and the Township Attorney.

**ROLL CALL:**

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

NAYS: None ABSTAIN: None ABSENT: 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 June 7, 2023. Kathleen Hart, RMC, Township Clerk

RESOLUTION NO. 23-137

SCHEDULE 23-06 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO  
THE TOWNSHIP COMMITTEE AT A MEETING  
HELD ON June 7, 2023

SEE SCHEDULE 23-06 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 23-06 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. 23-137**  
June 7, 2023

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 23-06, June 7, 2023, Consolidated Bill List, and the vouchers listed below as Schedule 23-06 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: \$ 858,300.93

**SCHEDULE 23-06 S**

**PAYROLL FUND**

TOTAL PAYROLL TRUST FUND \$ 15,289.74

**GENERAL CAPITAL FUND**

TOTAL GENERAL CAPITAL FUND \$ 2,275.00

**GRANT FUND**

TOTAL GRANT FUND \$ 5,691.50

**RESERVE TRUST FUND**

TOTAL RESERVE TRUST FUND \$ 1,500.00

**BASIN MAINTENANCE TRUST**

TOTAL BASIN MAINTENANCE TRUST \$ 180.00

**SHADE TREE TRUST**

TOTAL SHADE TREE TRUST \$ 0.00

**COAH TRUST FUND**

TOTAL COAH TRUST FUND \$ 26,539.00

**OPEN SPACE FARMLAND TRUST FUND**

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 16,837.50

**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 \$ 4,443.06

**ANIMAL CONTROL TRUST FUND**

TOTAL DOG TRUST FUND \$ 490.38

**TOTAL FOR ALL FUNDS \$ 931,547.11**

**ESCROW**

**DEVELOPERS ESCROW ACCOUNT UNDER \$5,000**

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 11,928.00

**DEVELOPERS ESCROW ACCOUNT OVER \$5,000**

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 24,162.00

**TOTAL FOR ESCROW \$ 36,090.00**

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/Davis, C/McLaughlin, M/Ferro

NAYS: None

ABSTAIN: None

ABSENT: DM/Morris

**RESOLUTION NO. 23-138**  
**MEETING DATE: 06-07-2023**

**RESOLUTION AUTHORIZING THE RENEWAL OF ALCOHOL BEVERAGE 2023-2024 LICENSE FOR THE MILLSTONE TOWNSHIP ELKS NO. 2613 LICENSE NO. 1332-31-005-002**

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

**WHEREAS**, the Millstone Elks, B.P.O.E. No. 2613 has complied with all requirements of Statue, Regulation and Municipal Ordinance to be issued a renewal for its Club Liquor License; and

**WHEREAS**, the Municipal filing fee of \$125.00 has been received by the Municipal Clerk and no objections have been made to the renewal of said licenses; and

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Millstone, County of Monmouth and State of New Jersey as follows:

1. It hereby renews the Club Liquor license for the 2023-2024 period for July 1, 2023 to June 30, 2024.
2. A certified copy of this Resolution shall be provided by the Municipal Clerk to each of the following:
  - a. Division of Alcoholic Beverage Control, CN 087, Trenton, NJ 08625
  - b. Millstone Township Elks, P.B.O.E.

**ROLL CALL:**

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

**NAYS:** **None**

**ABSTAIN:** **None**

**ABSENT:** **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 at its regular meeting held on June 7, 2023.

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Kathleen Hart, RMC  
Municipal Clerk

**RESOLUTION NO. 23-139**  
**MEETING DATE: 06-07-2023**

**RESOLUTION REAPPOINTING TEMPORARY ELECTRICAL SUBCODE OFFICIAL  
AND ELECTRICAL INSPECTOR**

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

**WHEREAS**, Millstone Township's Construction Department appointed George Selah as the Temporary Electrical Subcode Official and Electrical Inspector, per Resolution 23-109 on April 5, 2023 for the period from April 10, 2023 and ending June 9, 2023; and

**WHEREAS**, the Administrator and the Construction Official are in agreement that George Selah should be reappointed to the position of Temporary Electrical Subcode Official and Electrical Inspector at an hourly rate of \$42.00, for a maximum of 15 hours per week from June 10, 2023 and ending June 29, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Millstone that George Selah is hereby appointed as Temporary Electrical Subcode Official and Electrical Inspector from June 10, 2023 and ending June 29, 2023.

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

- a. George Selah, Appointee
- b. Department of Community Affairs
- c. Kevin Abernethy, Township Administrator
- d. Amanda Salerno, Township Treasurer
- e. Scott D'Amico, Construction Official

**ROLL CALL:**

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

NAYS: None

ABSTAIN: None

ABSENT: 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 June 7, 2023.

\_\_\_\_\_  
Kathleen Hart, RMC  
Township Clerk