

MILLSTONE TOWNSHIP COMMITTEE MEETING MINUTES FOR NOVEMBER 6, 2024

Mayor Ferro calls the meeting to order at 7:06 p.m. followed by a flag salute and a moment of silence.

STATEMENT OF NOTICE AS REQUIRED BY P.L. 1975, C231 IS READ.

I hereby announce that pursuant to the Open Public Meeting Act, adequate notice of this meeting has been provided in the annual meeting notice which was mailed to the Asbury Park Press and the Trenton Times, posted on the public announcements bulletin board in Town Hall and filed in the Office of the Township Clerk on December 21, 2023.

ROLL CALL: Committeeperson Eric Davis – present, Deputy Mayor Chris Morris –present, Committeeperson Tara Zabrosky – absent, Committeeperson Jeff Ziner – present and Mayor Al Ferro - present. Also, in attendance: Brian Chabarek, Esq. - Township Attorney, Kevin Abernethy – Township Administrator and Kathleen Hart - Municipal Clerk.

Resolution 24-216 Authorizing the Holding of an Executive Session, at Which the Public Shall be Excluded was moved by C/Davis; second by C/Ziner.

Municipal Clerk read Resolution 24-216 Authorizing the Holding of an Executive Session, at Which the Public Shall be Excluded into the record.

ROLL CALL VOTE:

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

Time In: 7:08 p.m.

Motion to adjourn Executive Session was moved by C/Ziner; second by DM/Morris with an All in Favor.

Time Out: 7:56 p.m.

Mayor Ferro calls the meeting to order 8:00 p.m. followed by a flag salute and a moment of silence.

All attendees and participants agree to conduct themselves in a manner appropriate for public gathering. Individual speakers should be advised that no right of privacy protects a person’s public comments made in a public forum. Accordingly, all participants bear responsibility for their own statements and commentary.

CORRESPONDENCE:

- 1. Resignation received from Cathy Magee, Recreation Clerk, effective November 14, 2024.

ORDINACES:

SECOND READING

ORDINANCE 24-18 ORDINANCE ACCEPTING CONSERVATION EASEMENTS AND A RIGHT-OF-WAY DEDICATION FOR BLOCK 28, LOT 16 LOCATED AT 3 STILLHOUSE ROAD

EXPLANATORY STATEMENT: This Ordinance accepts conservation easements and a right-of-way dedication conveyed by Vincent and Debora Codella to the Township of Millstone for Block 28, Lot 16.

Affidavit of Publication Presented

Mayor Ferro opens the public hearing at 8:02 p.m.

No public comment.

Mayor Ferro closes the public hearing at 8:03 p.m.

Motion to adopt was moved by C/Ziner; second by DM/Morris.

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ROLL CALL VOTE:

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

SECOND READING

ORDINANCE 24-19 ORDINANCE ACCEPTING RIGHT-OF-WAY DEDICATION FOR A PORTION OF BLOCK 31, LOT 28, LOCATED AT 106-108 AGRSS ROAD

EXPLANATORY STATEMENT: This Ordinance accepts a right-of-way dedication for a portion of Block 31, Lot 28.

Affidavit of Publication Presented

Mayor Ferro opens the public hearing at 8:03 p.m.

Mayor Ferro closes the public hearing at 8:03 p.m.

Motion to adopt was moved by DM/Morris; second by C/Ziner.

ROLL CALL VOTE:

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

FIRST READING

ORDINANCE 24-20 AN ORDINANCE AMENDING CHAPTER XIII (FIRE DISTRICT), SECTION 3.7 (NON-LIFE HAZARD USES), OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

EXPLANATORY STATEMENT: This Ordinance amends the New Jersey Uniform Fire Code Enforcement in Chapter XIII, Section 3.7, Non-Life Hazard Uses, of the Revised General Ordinances of the Township of Millstone.

Motion to adopt was moved by C/Ziner; second by C/Davis.

ROLL CALL VOTE:

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

Second reading and Public Hearing to be held on December 4, 2024 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

FIRST READING

ORDINANCE 24-21 ORDINANCE AUTHORIZING THE PURCHASE OF A DEVELOPMENT EASEMENT IN BLOCK 31.05, LOT 18, LOCATED AT 50 AGRSS ROAD

EXPLANATORY STATEMENT: This Ordinance provides for the purchase by the Township of Millstone of a development easement in the property known as Block 31.05, Lot 18, located at 50 Agress Road, for the purpose of farmland preservation, wherein the State Agricultural Development Committee and the Monmouth County Agricultural Development Board are contributing towards the purchase price.

Motion to adopt was moved by C/Davis; second by C/Ziner.

ROLL CALL VOTE:

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

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Second reading and Public Hearing to be held on December 4, 2024 at 8:00 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Perrineville, New Jersey.

RESOLUTIONS: CONSENT RESOLUTION POSTED ON BULLETIN BOARD.

ALL MATTERS LISTED UNDER ITEM “CONSENT AGENDA” ARE CONSIDERED ROUTINE BY THE TOWNSHIP COMMITTEE AND WILL BE ENACTED BY ONE (1) MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS, IF DISCUSSION IS DESIRED OF ANY ITEM, THAT ITEM WILL BE CONSIDERED SEPARATELY.

- 24-217 Payment of Vouchers – November 6, 2024
- 24-218 Resolution Authorizing the Purchase of a John Deere Z994R Diesel Commercial ZTrak
- 24-219 Resolution Awarding Contract for Sodium Chloride (Rock Salt) as per Monmouth County Contract F-85-2024
- 24-220 Resolution of the Township of Millstone to Approve and Endorse the Acquisition of a Development Easement by the Monmouth County Agriculture Development Board Block 31.05 Lot 18
- 24-221 Resolution Authorizing Electronic Tax Sale In-Lieu of Costs
- 24-222 Resolution Authorizing Electronic Tax Sale

Motion to adopt was moved by DM/Morris; second by C/Ziner.

ROLL CALL VOTE:

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

RESOLUTION:

- 24-223 Resolution to Transfer Funds on Current Year Appropriations #1

Motion to adopt was moved by DM/Morris; second by C/Davis.

ROLL CALL VOTE:

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

APPOINTMENT TO BE MADE BY THE MAYOR:

MAYOR’S APPOINTMENT TO THE MILLSTONE TOWNSHIP ENVIRONMENTAL COMMISSION

BE IT RESOLVED that Lisa Arpaia is hereby appointed as member to the Millstone Township Environmental Commission to fulfill the unexpired term of Mary Beckish, term expiring December 31, 2025.

TOWNSHIP COMMITTEE MINUTES:

- 1. Regular Meeting Minutes – October 16, 2024

Motion to adopt was moved by DM/Morris; second by C/Ziner.

ROLL CALL VOTE:

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

- 2. Executive Meeting Minutes – October 16, 2024

Motion to adopt was moved by C/Ziner; second by DM/Morris.

ROLL CALL VOTE:

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

LIAISON REPORTS:

C/Davis thanked M/Ferro for appointing Lisa Arpaia to the Environmental Commission, welcomes Ms. Arpaia and looks forward to working with her.

C/Ziner attended the 2nd meeting regarding the planning of the new pavilion at Millstone Park and will have another meeting in the next few weeks.

DM/Morris stated that the Recreation Commission meeting was postponed to the following week. An Ad-hoc team was put together to look at possibly having a program regarding customizing names and/or donations for benches and trees at Millstone Park. More information to come.

M/Ferro stated that the Fire/EMS responded to 115 calls for the month of October which included 81 medical calls, 17 motor vehicle accidents, 15 fire calls and 75 transports to various hospitals. The day shift had 70 calls; night shift had 45 calls with 14 calls for mutual aid. M/Ferro thanked the Fire Department for all they do.

NEW BUSINESS:

1. 2024 Best Practice Inventory Report: The Township Administrator stated that Millstone's score was 39.5 and that it will receive 100% of any State Aid. Some of the questions in the Best Practices Report concerned EV charging stations and Affordable Housing.

OLD BUSINESS:

1. Buck Mine – Status Update: Leslie Buck Stone gave an update and unfortunately needs to ask for an extension for paving the road as the funds are not there unless the Township utilizes the cash bonds that are on file totaling approximately \$136,000. There are three contracts that have been on hold and should start up again. They are still going to continue to run loads and the companies that do the paving advised not to do the paving now since they are going to continue to run. Mecor Paving came out and said the patches are still holding up. M/Ferro stated that the Township Committee gave the Mine several conditions in the renewal of the permit and one was to resurface and mill the portion of Pine Hill Road by November 15, 2024 and now you are asking for an extension. Matt Shafai, Township Engineer, wants to know how many truckloads still need to be done and is concerned that the Mine is going to keep asking for extensions of time. Ms. Stone discussed the three contracts they have. Also stated that there is dirt that still needs to be moved out to level with Campo before they can begin to restore and hopefully the mines can become the park that Monmouth County and Rutgers have been discussing. Ms. Stone stated that they want to be done by June 30, 2025 with the contracts that they have. M/Ferro stated that the Mine continuously comes back and asks for extensions and we need to take into consideration the residents that live in that area. The Township has to consider everyone, and we expect that the Mine will do what is requested. The residents don't care what your problems are but care what your promises are. We sympathize with you but empathize with the residents. Ms. Stone states that the word is out that they are closing June 30, 2025 and that is why they have these three contracts and are not taking on anymore. These contractors stopped taking the dirt due to issues on their end, however, should begin again. C/Ziner asked when the Mine can pave the road. Ms. Stone would like to pave the road in June/July of 2025 when they are closed. Ms. Stone states that there is an issue with the subbase. Matt Shafai, Township Engineer, stated that it doesn't have a good base and every 10 years it falls apart due to the truck traffic. The current condition of the road is all asphalt, with no dirt exposed with patches. Ms. Stone stated that to pave the road it would cost about \$77,000. Matt Shafai, Township Engineer, asked how much dirt is to be taken out? Ms. Stone stated that there is about 300,000 to 400,000 cubic yards to be taken out which is about 24,000 truckloads. Matt Shafai, Township Engineer, stated that is a lot of dirt to be taken out and suggested that the paving should wait until June 2025. M/Ferro asked if there are further delays what will happen? Ms. Stone is planning on closing the mine on June 30, 2025. M/Ferro stated that anyone from the public that would like to speak will be able to under Public Comments.

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COMMENTS FROM THE DAIS:

M/Ferro extends our sympathy and heartfelt condolences to the Frost family. Barry Frost passed away on October 29, 2024.

M/Ferro invites all residents to attend the Veterans Day ceremony on November 11th at 11am to honor and support the Veterans.

The Township Administrator stated that eight (8) violations have been issued for passing school buses since the beginning of this school year. The school buses have cameras and you will get caught. The fine is a minimum of \$500 and 5 points. M/Ferro stated that the Township has zero tolerance and fully support when you see the red light on a school bus, you stop! You will get caught and the Township Committee is in full support of enforcement and a summons will be issued.

The NJ DEP has a statewide fire restriction. There is currently a fire close to us in Jackson and a few acres also were burning on Route 537. Millstone Township Fire Department have been assisting with the fires. Please all be careful and no open burns!

PRIVILEGE OF THE FLOOR: (Limited to ½ Hour)

M/Ferro opens the meeting to the public at 8:54 pm.

Bob Lamm, 14 Holdman Place stated his concerns regarding Pine Hill Road paving and was also in attendance at the last meeting Buck Mine was discussed. Pine Hill Road is a feeder road to his development and it is in the worst condition since he moved here 25 years ago. One of the conditions was to have Buck Mine pave the road by November 15, 2024. The Mayor did ride down the road prior to the patches being done and did find the road to be in bad condition. The Township Engineer stated that material still needs to be removed from the mine which will be about 20,000 truckloads. The Township Engineer stated that the deadline to pave will be June 30, 2025 when the permit expires. At this time, Buck Mine will repave or the Township will take their bonds and pave the road.

Anthony Lombardino, 14 Holdman Road also voiced his concerns. He doesn't have any faith that this road will be paved. The road will deteriorate over the winter months. You need to stop Buck Mining now and pave the road with their bond money.

Ryan Walker, 11 Pine Hill Road grew up on Pine Hill Road and feels that the main concern is to make sure that both mines turn into a park because that will be really special for Millstone.

Anthony Lombardino, 14 Holdman Road, stated that there are a lot of expensive homes now off of Pine Hill Road that pay a lot of taxes and their needs to be consideration for all parties.

M/Ferro stated that he will drive down Pine Hill Road, assess the road, discuss individually with the Township Committee members and will come up with their findings. M/Ferro asked Buck Mine to come back on December 4, 2024 to discuss their findings.

The Township Attorney stated that the procedure per the Township Code is, if their permit is under consideration to be revoked, the Mine will get written notice from the Municipal Clerk.

M/Ferro closes the meeting to the public at 9:15 pm.

ADJOURNMENT:

Motion to adjourn was moved by DM/Morris; second by C/Ziner. All in Favor.

Time Out 9:15 p.m.

Audio of the meeting is available in the Municipal Clerks Office.

November 6, 2024 Township Committee Regular Meeting Minutes approved at a Township Committee meeting held on December 4, 2024.

Kathleen Hart, RMC
Municipal Clerk