

September 16, 2009

TOWNSHIP OF MILLSTONE

SEPTEMBER 16, 2009

ROLL CALL: Mayor Nancy Grbelja – present, Committeeman Abilheira – present, Committeeman Kinsey – present, Committeeman Kuczinski – present, Committeeman Masci – present. Also in attendance: Attorney – Duane Davison, Engineer – Matt Shafai, Administrator – James Pickering, Municipal Clerk – Maria Dellasala and DPW Superintendent -Ken Gann..

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 NOTICE OF MEETINGS WHICH WAS MAILED TO THE ASBURY PARK PRESS AND THE MESSENGER PRESS, POSTED ON THE PUBLIC ANNOUNCEMENTS BULLETIN BOARD IN TOWN HALL AND FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON DECEMBER 17, 2008.

RESOLUTION 09-150 AUTHORIZING THE HOLDING OF AN EXECUTIVE SESSION AT, WHICH THE PUBLIC SHALL BE EXCLUDED.

C/Kinsey offered the following resolution and moved its adoption, which was second by C/Kuczinski.

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:

The public shall be excluded for the discussion of any action upon the here in after specified matter.

The general nature of the subject matter to be discussed is as follows:

- Items falling under the Attorney/Client Privilege

It is anticipated at this time that the above stated subject matter will be made public in approximately six months or when any litigation discussed is resolved. This resolution will take effect immediately.

VOTE:

AYES: C/Kinsey, C/Kuczinski, C/Masci, M/Grbelja

NAYS: C/Abilheira

ABSTAINED: None

ABSENT: None

Executive session began 7:43p.m

Motion to adjourn Executive Session Moved C/Kinsey, Seconded C/Masci. ©

Time Out 7:50pm.

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MAYOR GRBELJA CALLS THE REGULAR MEETING TO ORDER AT 8:00 P.M. FOLLOWED BY A FLAG SALUTE AND A MOMENT OF SILENCE.

PROCLAMATION:

National POW/MIA Recognition Day September 18, 2009

Each year the Defense POW/Missing Personnel Office honors America's prisoners of war and missing in action by issuing a poster commemorating National POW/MIA Recognition Day. The nation traditionally observes POW/MIA Recognition Day on the third Friday in September, which this year is September 18.

On this date, we salute those men and women who served our nation as prisoners of war as well as those who remain unaccounted-for ... missing from Vietnam ... from Korea ... from World War II... from the Cold War ... from Desert Storm ... from Enduring Freedom and Iraqi Freedom.

This year the nation commemorates the 60th anniversary of the end of World War II. This poster highlights the sacrifices of America's POWs and MIAs from that war, and ties their sacrifices to those of today's heroes. It shows American POWs in captivity during WWII, as well as today's troops in combat.

The flag of the United States of America flies proudly over battlefields, past and present, symbolizing the sacrifices American fighting forces have made throughout our history. The black POW/MIA flag stands as a reminder of our enduring commitment to those still unaccounted-for. The commitment is to bring them home to their families. They are "Never Forgotten."

We remember and honor the POWs and MIAs of what has become known as America's "Greatest Generation." But as we do, we commit ourselves to do everything possible to return home safely and with honor today's warriors -- truly another "Greatest Generation" -- who become captured or missing defending our freedoms.

Now therefore, I Mayor Nancy Grbelja, on behalf of the Township Committee of the Township of Millstone, does recognize September 18, 2009 as National POW/MIA Recognition Day.

Proclaimed, this the day of September 2009.
Nancy A. Grbelja, Mayor

ENGINEER'S REPORT:

Matt Shafai discusses the following:

1. The 2008 Road Program is still open, Algonquin Terrace and Forman Road will be finished next week.
2. Baird road Improvement Phase II, Mecco was the low bidder at \$195,000 and tonight we will be awarding the contract, also the bid came in about 15% lower than the estimate.

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ORDINANCE'S

**ORDINANCE 09-16
SECOND READING**

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$250,000 FOR 2009 ROAD IMPROVEMENT PROGRAM IN AND BY THE TOWNSHIP OF MILLSTONE, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$57,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

EXPLANATORY STATEMENT: This ordinance provides an appropriation of \$250,000 for the 2009 Road Improvement Program including but not limited to improvements to Baird Road Phase II and various drainage improvements to Graham Place, Algonquin Terrace, Haviland Drive, Shield Road, Nurko Road and Forman Road, including all work and materials necessary therefor and incidental thereto.

Affidavit of publication presented.

Motion to adopt on second reading, Moved C/Kinsey, Second C/Kuczinski.
Committee Discussion: None

VOTE:

AYES: C/Kinsey, C/Kuczinski, C/Masci, M/Grbelja

NAYS: C/Abilheira

ABSTAINED: None

ABSENT: None

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.

09-151 Payment of Vouchers

09-152 Resolution authorizing release of Performance Guarantees for The Paddocks at Millstone, (Block 45 Lots 11, 11.01 & 11.02 3).

09-153 Resolution authorizing release of Performance Guarantees for Perl Acres at Millstone South, (Block 55 Lot 2).

09-154 Resolution authorizing release of Performance Guarantees for Perl Acres at Millstone North, (Block 54 Lot 5.01).

09-155 Resolution awarding contract for Phase II Improvements to Baird Road from Stillhouse Road to Woodville Road.

09-156 Resolution authorizing an application to Monmouth County Municipal Open Space Grant program.

09-157 Resolution authorizing an amendment to an agreement for the use leasing of Municipal Real Property for Agricultural Use (Block 52, Lot 13, Formerly part of the Lee Property).

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Motion to adopt, Moved C/Kuczinski, Second C/Masci.

Committee Discussion: None

VOTE:

AYES: C/Abilheira 09-156, C/Kinsey, C/Kuczinski, C/Masci, M/Grbelja

NAYS: C/Abilheira 09-151, 152, 153, 154, 155, 157

ABSTAINED: None

ABSENT: None

REPORTS FROM VARIOUS DEPARTMENTS FOR AUGUST 2009:

Tax Collector	\$7,154,268.06
Clerks report	\$ 358.25
Dog License	\$ 83.60
Recreation	\$ 10,330.00
Building Department	\$ 15,801.00
COAH	\$ 3,452.00
Municipal Court	\$ 35,223.50
August Interest Revenue	\$ 32,905.85

Recycling 80 residents used recycling yard, total tonnage 4 tons
922 miles recorded for month for both Recycling & Code Enforcement
1 Notice of Violation was written to a commercial location for not recycling.

Motion to file, Moved C/Kinsey, Second C/Kuczinski. ©

TOWNSHIP COMMITTEE MINUTES:

1. Regular & Executive Session September 2, 2009.

Motion to adopt, Moved C/Kuczinski, Second C/Masci.

Committee Discussion: C/Abilheira state there is a typo that is was C/Kuczinski and not C/Kinsey that states that C/Abilheira asked a question at the last meeting regarding Open Space & Farmland Preservation and the Agricultural Council opposition to the inclusionary element on the COAH plan – correction made. C/Abilheira states that if C/Kuczinski wants to discuss with him the explanation he has from DEP, SADC, he would.

VOTE:

AYES: C/Kinsey, C/Kuczinski, C/Masci, M/Grbelja

NAYS: C/Abilheira

ABSTAINED: None

ABSENT: None

APPLICATION FOR RAFFLE LICENSE:

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Millstone Township Middle School PTSA – 50/50 raffle – mailing of tickets 11/12/09
drawing date 12/17/09 at 6:30pm, at the Performing Arts Center at the Millstone
Township Middle School.

Motion to approve, Moved C/Kinsey, Second C/Abilheira. ©

APPLICATION FOR COMMERCIAL SOLICITATION LICENSE:

Seasonal World, Inc., 532 Monmouth Road, Clarksburg applying for Commercial
Solicitation to deliver flyers.

Motion to table, Moved C/Kinsey, Second C/Masci. ©

PRIVILEGE OF THE FLOOR:

Mayor Grbelja opens the meeting to the public at 8:11 p.m.

1. Anthony Schiavone – Season World – States the commercial solicitation license
he would like to leave flyers in commercial properties such as WAWA and Great
Adventure, he is not going door to door, nor putting flyers in cars. Therefore he
does not have to apply for a permit and we will refund his \$100 fee.

Mayor Grbelja closes the meeting to the public at 8:14 p.m.

Motion to adjourn, Moved C/Kinsey, Second C/Masci. © Time Out 8:14 p.m.

Tapes of the meeting are available in the Municipal Clerk's Office.