MILLSTONE TOWNSHIP COMMITTEE MEETING MINUTES FOR SEPTEMBER 16, 2026

M/Ferro calls the meeting to order at 7:01 pm.

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 transmitted 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 24, 2025.

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

Resolution 26-183 Authorizing the Holding of an Executive Session, at Which the Public Shall be Excluded was moved by DM/Morris; second by C/Zabrosky.

Municipal Clerk read Resolution 26-183 Authorizing the Holding of an Executive Session, at Which the Public Shall be Excluded into the record.

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

Time In: 7:03 pm.

Motion to adjourn Executive Session was moved by C/Zabrosky, second by DM/Morris with an all in favor.

Time Out: 8:00 pm.

M/Ferro calls the meeting to order at 8:06 pm followed by a flag salute and a moment of silence.

Municipal Clerk read the following statement into the record:

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: None

RESOLUTIONS:

26-184 Resolution Acknowledging Receipt and Review of Planning Board Consistency Report For Ordinance 26-15

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

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

26-185 Resolution Acknowledging Receipt and Review of Planning Board Consistency Report For Ordinance 26-16

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

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

ORDINANCES:

SECOND READING AND PUBLIC HEARING

ORDINANCE 26-15 AN ORDINANCE AMENDING CHAPTER 35, LAND USE AND DEVELOPMENT REGULATIONS, SECTION 2-2 "SPECIFIC DEFINITIONS" AND SECTION 35-4-1.3 "PROHIBITED USES" OF THE REVISED GENERAL CODE OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY TO PROHIBIT DATA CENTERS AND DEFINE WAREHOUSES

EXPLANATORY STATEMENT: This Ordinance amends Chapter 35 (Land Use and Development Regulations (various sections) to add definitions for "data center," "data center, micro/mini," and "warehouse and distribution center." This Ordinance additionally amends Chapter 35 to prohibit data centers and micro/mini data centers in all lands within Millstone Township.

Affidavit of Publication Presented

M/Ferro opens the public hearing at 8:09 pm.
No public comment.
M/Ferro closes the public hearing at 8:09 pm.

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

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

SECOND READING AND PUBLIC HEARING

ORDINANCE 26-16 AN ORDINANCE AMENDING CHAPTER 35 (LAND USE AND DEVELOPMENT REGULATIONS), ARTICLE 7 (OFF-STREET PARKING AND LOADING), SECTION 35-7-3.5 (NUMBER OF REQUIRED SPACES) AND ARTICLE 5 (ZONING DISTRICT REGULATIONS), SECTION 35-5-10.6 (MUNICIPALLY SPONSORED AFFORDABLE HOUSING) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

EXPLANATORY STATEMENT: This Ordinance amends Chapter 35 (Land Use and Development Regulations (various sections) to clarify that age-restricted residential development can provide for parking at a ratio of 1.4 spaces per unit. This Ordinance additionally amends the requirements for the municipally sponsored affordable housing site at Block 51 Lot 1 (also known as the "Allen House III" site) to adjust certain bulk requirements to allow for the development of age-restricted affordable Housing.

Affidavit of Publication Presented

M/Ferro opens the public hearing at 8:11 pm.
No public comment.
M/Ferro closes the public hearing at 8:11 pm.

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

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

SECOND READING AND PUBLIC HEARING

ORDINANCE 26-18 ORDINANCE ACCEPTING CONSERVATION EASEMENT FOR A PORTION OF BLOCK 16, LOT 9.07, LOCATED AT 1100 RIKE DRIVE

EXPLANATORY STATEMENT: This Ordinance accepts a Conservation Easement for a portion of Block 16, Lot 9.07.

Affidavit of Publication Presented

M/Ferro opens the public hearing at 8:12 pm.
No public comment.
M/Ferro closes the public hearing at 8:12 pm.

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

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

SECOND READING AND PUBLIC HEARING

ORDINANCE 26-19 AN ORDINANCE AMENDING CHAPTER 5 (FEES), SECTION 14 (FEES FOR CHAPTER 14: BUILDING AND HOUSING), SUBSECTION 14.3 (STATE UNIFORM CONSTRUCTION CODE FEES, BUILDING AND HOUSING) AND SECTION 5-35 (FEES FOR APPLICATIONS AND PROCEDURES PURSUANT TO LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF MILLSTONE), AND CREATING SECTION 14 (FEES FOR CHAPTER 14: BUILDING AND HOUSING), SUBSECTION 14.4 (NON-UCC BUILDING AND HOUSING FEES) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

EXPLANATORY STATEMENT: This Ordinance amends Chapter 5-14 Fees for Building and Housing, Subsection 5-14.3 State Uniform Construction Code Fees, Building and Housing and Section 5-35, Fees for Application and Procedures Pursuant to Land Use and Development Regulations of the Township of Millstone, and creates Chapter 5, Section 14.4, Non-UCC Building and Housing Fees, as per state regulations and provides the fees to be applied for permits obtained under Chapter 14, Building and Housing.

Affidavit of Publication Presented

M/Ferro opens the public hearing at 8:13 pm.
No public comment.
M/Ferro closes the public hearing at 8:13 pm.

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

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

FIRST READING

ORDINANCE 26-20 ORDINANCE AMENDING ORDINANCE NO. 26-08 ACCEPTING CONSERVATION EASEMENTS FOR A PORTION OF BLOCK 57, LOT 17.02 AND 17.03 (NOW KNOWN AS LOT 17.04), LOCATED AT 37 BURNT TAVERN ROAD

EXPLANATORY STATEMENT: This Ordinance amends Ordinance No. 26-08 to reflect the conveyance of the property to Burnt Tavern, LLC and to confirm the Township's acceptance of the Conservation Easement for a portion of Block 57, Lots 17.02 and 17.03 (now known as 17.04).

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

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

Second reading and Public Hearing to be held on October 7, 2026 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.

26-186	Payment of Vouchers – September 16, 2026
26-187	Resolution Authorizing Award of a Contract for Emergency Tree Removal Services on Disbrow Hill Road on September 2, 2026
26-188	Resolution Appointing Municipal Tax Assessor for the Township of Millstone
26-189	Resolution Authorizing Application to the Monmouth County Historical Commission 2027 Preservation Grant for the Baird Fireplace Restoration, Phase 1
26-190	Resolution Expressing Strong Support for all Law Enforcement Officers and Endorsing New Jersey Assembly Resolution No. 149

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

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

REPORTS FROM VARIOUS DEPARTMENTS FOR AUGUST 2026:

Tax Collector	$12,512,589.25
Clerks Report	$ 394.00
Dog License	$ 1,169.00
Municipal Court	$ 7,123.09
Construction	$ 51,299.09
COAH	$ 25,543.09
2026 Interest Revenue	

Motion to file was moved by DM/Morris; second by C/Zabrosky with an All in Favor.

TOWNSHIP COMMITTEE MINUTES:

1. Regular Meeting Minutes – August 19, 2026

Motion to table the August 19, 2026 regular meeting minutes _to the October 7, 2026 Township Committee meeting was moved by DM/Morris; second by C/Zabrosky.

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

MINUTES TABLED TO OCTOBER 7, 2026

2. Executive Meeting Minutes – August 19, 2026

Motion to table the August 19, 2026 executive meeting minutes _to the October 7, 2026 Township Committee executive meeting was moved by DM/Morris; second by C/Zabrosky.

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

MINUTES TABLED TO OCTOBER 7, 2026

3. Regular Meeting Minutes – September 2, 2026

Motion to adopt was moved by DM/Morris; second by C/Zabrosky
ROLL CALL VOTE:

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

4. Executive Meeting Minutes – September 2, 2026

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

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

APPLICATIONS FOR A BINGO/RAFFLE LICENSE:

1. Heart of New Jersey Chorus, RA #362, Off-Premise 50/50 Raffle to be held on December 12, 2026 at the Millstone Township Primary School, 18 Schoolhouse Road.

Motion to approve was moved by C/Zabrosky; second by M/Ferro with an All in Favor.

2. Heart of New Jersey Chorus, RA #363, On-Premise Merchandise Raffle to be held on December 12, 2026 at the Millstone Township Primary School, 18 Schoolhouse Road.

Motion to approve was moved by C/Zabrosky; second by M/Ferro with an All in Favor.

3. St. Joseph Catholic Church, RA #364, Off-Premise 50/50 Raffle to be held on December 13, 2026 at the St. Joseph Catholic Church, 91 Stillhouse Road.

Motion to approve was moved by C/Zabrosky; second by M/Ferro with an All in Favor.

4. Loom #1459 Jackson Moose, RA #365, Off-Premise 50/50 Raffle to be held on December 13, 2026 at 560 Monmouth Road.

Motion to approve was moved by C/Zabrosky; second by M/Ferro with an All in Favor.

LIAISON REPORTS:

C/Zabrosky announced that "Eyes of the Wild" will be performing again at Millstone Day on September 20th at the Open Space, Environmental Commission and Shade Tree Commission tent (closest to the buildings). There will be three shows starting at 1pm, 2pm and 3:15pm. The Monmouth County Prosecutor's office in partnership with the Office of Aging, Disabilities and Veteran Services is hosting a Senior Fraud Prevention Program on Friday, October 2nd from 12pm – 3pm at the Fort Monmouth Recreation Building in Tinton Falls. Registration is required.

DM/Morris announced that Millstone Day is scheduled for September 20th at Millstone Park, 4 Red Valley Rd. There are many activities. Please come out and join us. M/Ferro announced that any notifications concerning Millstone Day will be sent out via Nixle, the Township website or the official Millstone Township Facebook page. If you haven't signed up for Nixle or the Township's e-blast, please go to the Township website on the home page and sign up.

NEW BUSINESS: NONE

OLD BUSINESS:

M/Ferro reminds everyone that schools are open and the Township has zero tolerance for passing stopped school buses with flashing red lights. The NJ State Police are instructed to summon anyone who passes a stopped school bus with flashing red lights. All the buses are equipped with video cameras on them and a summons will be mailed to you. Also, we have zero tolerance for speeding as well.

COMMENTS FROM THE DAIS:

M/Ferro announced that the Monmouth County Clerk's office offers a property fraud alert program. Any time there is a document recorded with your name on it at the recorder's office of the Monmouth County Clerk's office you will receive an alert. Homeowners can register for the property fraud alert program at www.propertyfraudalert.com/NJMonmouth. C/Zabrosky added that she shared the program details during a recent seniors' meeting to keep them informed.

PRIVILEGE OF THE FLOOR: (Limited to ½ Hour)

M/Ferro opens the meeting to the public at 8:26 pm.

M/Ferro introduced Jeff Surenian, Esq., who is the Township's affordable housing counsel. Mr. Surenian is going to recap what has been going on with the Round Four obligation for affordable housing and provide a status as to where we are at. Mr. Surenian provided an overview of the Affordable Housing Law's fourth round requirements, detailing the timeline, and ongoing legal disputes regarding the Township's affordable housing plan. Governor Murphy signed legislation creating a new two-stage procedure (mediation and litigation) to insulate municipalities from builders' remedy lawsuits. The Township joined the program to prevent developer lawsuits and filed a declaratory judgment action in January 2025. The Township submitted its compliance plan in June 2025, which led to a court-appointed dispute resolution process and mediation from August through December 2025. Two objectors filed during this time: Fair Share Housing Center and DENJ, Inc. The Township's total fourth-round obligation is based on a formula, approximately 100 units. This figure consists of new fourth-round requirements combined with 10 deficient units from round three accessory apartments. The legislation requires construction on affordable housing projects to begin within two years of plan approval. The Township's plan relies heavily on three 100% affordable projects. The Judge approved the overall plan but imposed seven conditions. Condition Seven mandates that if a scheduled 40-to-50-unit project fails to start construction within two years, the Township must automatically rezone the DENJ site for 250 units. The Township opposes Condition Seven as unreasonable. The dispute resolution program's own expert recommended allowing an extension request rather than an automatic builder's remedy penalty, but the program member overrode the expert on March 2, 2026. The County Judge adopted this recommendation on March 4, 2026. On March 6, 2026, the Township formally challenged the approval conditions. After the Judge denied a motion to reconsider, the Township filed a trial brief and prepared for court. While there is the potential for reaching a settlement, the Township is prepared to proceed to trial if a resolution cannot be reached. The fourth round housing cycle runs for 10 years beginning July 1, 2025 to June 30, 2035. After we are done with round four, this legislation envisions an infinite number of subsequent rounds every 10 years and it makes the obligations cumulative.

Dan Murpy, 38 Carriage Way: Asked if the Township is teaming up with other municipalities to challenge this legislation. Mr. Surenian said that there was a group of municipalities up North that teamed up but unfortunately was unable to win a single fight. Mr. Surenian said he drafted an amendment to the Fair Share Housing Act which if enacted would have radically reduced the number. Several towns, including Millstone, adopted a Resolution supporting that legislation but it never moved forward with the State. The courts have been unwilling to overturn the legislation.

Pat Butch, 40 Prodelin Way: Said that it looks like the only way to change the legislation is to have sponsors from both sides. The only way to get people who are reluctant to sponsor something to come forward is to bring the science in. Rutgers is definitely the body to do that. If we get a body of knowledge that talks about impervious coverage, runoff, flooding downstream, overdevelopment and what it would make this area look like, and go the legislative route with more towns involved, there is a better likelihood of being heard.

M/Ferro closes the meeting to the public at 8:48 pm.

ADJOURNMENT:

A motion to adjourn was moved by C/Zabrosky; second by DM/Morris with an All in Favor.

Time Out 8:48 pm.

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

September 16, 2026, Township Committee Meeting Minutes approved at a Township Committee meeting held on October 21, 2026.

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Kathleen Hart, RMC
Municipal Clerk