

# Borough of Millstone

Planning Board  
Regular Meeting  
January 27, 2009

Official Minutes  
Approved February 24, 2009

Chairman Dorschner called the meeting to order at 7:32 pm. There were four members of the public present.

Chairman Dorschner read the following statement:

"The regular meeting of the Millstone Borough Planning Board will please come to order. Adequate notice of this meeting has been noticed to the Hillsborough Beacon and Courier News and posted at Borough Hall. If any member of this body believes this meeting is being held in violation of the Open Public Meetings Act, please state your views at this time, stating the reason for which you feel the notice is improper. Hearing none, we will proceed to the next item on the agenda."

Roll Call:

Present:	Dan Devoti	Keith Dorschner
	Christine Fung	Carol Halm
	Carl Kestner	Richard McDermott
	Rebecca Newman	John Prudente
	Jessica Pyatt	

Also present: Gerald J. Muller, Esq – Planning Board Attorney  
Carter Van Dyke – Planning Consultant  
Denise Piszkowski, Board Secretary

Absent: Don Roden

The new Board members, Mr. John Prudente and Mr. Kestner, introduced themselves to the Board. The new members were welcomed by the Board and the Board members also introduced themselves.

*Mr. Devoti nominated Mr. Dorschner for the position of Chairperson; the motion was seconded by Ms. Newman. With an aye vote by all Mr. Dorschner was appointed as the Board Chairperson for 2009.*

*Mr. McDermott nominated Ms. Fung for the position of Vice-Chairperson; the motion was seconded by Mr. Devoti. With an aye vote by all Ms. Fung was appointed as the Board Vice-Chairperson for 2009.*

The Board discussed the contracts to be approved.

*On a motion by Mr. Dorschner, seconded by Ms. Newman and with an aye vote by all the contracts were approved for Ms. Shirley Bishop, Affordable Housing Specialist, Mr. Muller, Planning Board Attorney and Mr. Van Dyke, Planning Board Consultant.*

The Board discussed the proposed 2009 meeting schedule and changed the 2010 re-org meeting date. On a motion by Mr. Dorschner, seconded by Ms. Halm, the 2009 meeting schedule was approved.

*On a motion by Mr. Dorschner, seconded by Ms. Newman the December 18, 2008 meeting minutes were approved. Ms. Pyatt, Mr. Kestner and Mr. Prudente were not eligible to vote.*

## DISCUSSION

Mr. Van Dyke informed the Board that Van Cleef had asked for some minor changes to the TND Ordinance that had been approved by the Board at the December 18, 2008 meeting that they would like to incorporate into it before Council approved the final Ordinance. Mr. Van Dyke gave the new Board members an overview of the Van Cleef project. The Board discussed the project. Mr. Van Dyke reviewed the requested changes to the TND Ordinance with the Board. Ms. Fung questioned some of the changes and Mr. Van Dyke explained. The Board continued to discuss the project and the pros and cons for the Borough. The Board agreed to the changes

On a motion by Ms. Newman, seconded by Mr. Dorschner, with a roll call vote, Ms. Fung and Ms. Halm voted aye, Mr. McDermott and Ms. Pyatt voted no and Mr. Devoti, Mr. Kestner and Mr. Prudent abstained, with a majority aye vote the changes to the TND Ordinance as presented by Mr. Van Dyke were accepted and will be submitted to Council.

Mr. Van Dyke informed the Board that the Mayor had received a PSE&G Grant and he was researching lighting options for the outside of Borough Hall Mr. Van Dyke passed out copies of the recommendations for the lighting fixtures. The Mayor explained to the Board the reasons for the new lighting and informed the Board that he wanted them to be aware of the project.

*On a motion by Ms. Halm, seconded by Ms. Newman the Board opened the meeting to the Public.*

**OPEN TO THE PUBLIC:**

Ms. Newman informed the Mayor that Mr. Grimshaw would not allow her to assess his property and that signs on the property show that a business is being run from the home. Mr. Heck stated that he would speak to Mr. Grimshaw about the violation and also about the dumpster on his property. The Board discussed the violations on this property.

*On a motion by Ms. Halm, seconded by Ms. Newman , the Board closed the meeting to the public.*

**Dan Devoti, Zoning Officer**

Mr. Devoti informed the Board that he spoke to Mr. Babiak and the house was going to be put up for sale. Mr. Devoti stated that he informed them that the property still needed to be repaired. Mr. Devoti informed the Board that he would have tickets issued for the violations. The Board discussed the violations.

Mr. Devoti informed the Board that a lien was being put on the Blackshear property. Ms. Halm stated that the porch was in the process of collapsing. The Board discussed the hazards on this property. Mr. Devoti informed the Board that Mr. Offen had told him that the Borough could repair the property and bill the property owner. Mr. Devoti stated he would contact Mr. Offen to find out who would be responsible for contracting to have the repairs done.

Mr. Dorschner asked Mr. Devoti about emails that he is receiving from Mr. Bruce Marganoff. Mr. Devoti stated that Mr. Marganoff owed the Borough escrow money and Mr. Muller was also owed money from this application. Mr. Della Pia was going to complete an invoice and submit it to Mr. Marganoff. Mr. Devoti will follow-up on this. The Board discussed the escrow accounts and how they are handled. Mr. Muller informed the Board that he had escrow bills outstanding from as early as 2006. Mr. Van Dyke expressed that he also has outstanding escrow invoices that have not been paid. The Mayor asked both professionals to submit an accounting of their outstanding escrow invoices and he would discuss the problem with Mr. Della Pia. The Board discussed the problem. The Mayor stated that he received an email from Mr. Della Pia and Mr. Marganoff owes the Borough over \$300. The Board continued to discuss the problem and possible resolutions.

### **Carol Halm, Council Person**

Ms. Halm reported that

- Reorganization meeting was held on January 7th and that the new Council and Board members were appointed and sworn in
- Ms. Orton, Historic District Commission, applied for a grant of 1,000 to help with W3R celebration and received \$400.
- Applied for non profit status
- Town hall will be 150 years old in 2010 celebration being discussed
- Grant for Town Hall was received
- The Tarantino'sgf would be recognized with a proclamation for the work they did on their Frank Lloyd Wright house
- A new community service worker was working at Borough Hall
- The Council questioned the new street light at memorial hall and it is being researched as to who authorized this new light.
- The York Town Road speed humps and parking at Borough Hall would be expanded. Mr. DeMuro working on this.
- Waiting for North River Street grant
- West Street parking on one side only to be enforced. It has not yet been determined as to which side would be used. Ms. Fung asked about where the mailboxes would be placed.
- The solicitors, nuisance, disorderly conduct and dog ordinance were being amended to conform to current regulations and the final reading would be at the February.
- The recycling ordinance was adopted and the fees have not changed
- TND Ordinance was passed on 1<sup>st</sup> reading
- The Hazard Mitigation Plan was adopted
- Corner property discussion continues
- Borough insurance was discussed
- The lawsuit was discussed
- The Rzem property was discussed.

### **Carter Van Dyke, Planning Consultant**

Mr. Van Dyke informed the Board that at the January 20, 2009 County Freeholders Public Hearing it was announced that the County would be purchasing the four Rzem lots on East Main Street for 6.8 million dollars. Mr. Van Dyke also informed the Board that they discussed the possibly raising or moving the historic homes in the flood zone at this meeting and the Borough would have to ask the State for permission to do this. The Board discussed the purchase of the Rzem property by the County. Mr. Van Dyke also informed the Board that the Hazard Mitigation Plan needs to be completed. Mr. Van Dyke explained what is required for this project to move forward. Ms. Fung stated that she would coordinate with Ms. Orton, HDC. The discussion continued.

Mr. Van Dyke also informed the Board that the plan endorsement meeting was postponed until the plans for the Rzem tract are complete. The Plan Endorsement needs to be completed or the Borough could lose the grant money. The next meeting will be held on February 16, 2009 and the Plan Endorsement will be presented to the residents.

Mr. Van Dyke then informed the Board that the Hillsborough and Millstone agreement for sewers should be completed shortly and that the Millstone Greenway final draft was going to be given to Council for adoption.

Mr. Muller informed the Board that Council would designate the Rzem lots as an area in need of rehabilitation and a rehab plan would need to be prepared. Mr. Muller explained this process to the Board. A discussion ensued. The Board also discussed the homes that would need to be relocated.

*On a motion by Mr. McDermott, seconded by Mr. Dorschner, the Board opened the meeting to the Public.*

**OPEN TO THE PUBLIC:**

The Mayor explained that he is only here as a member of the public and asked if the Board had any questions about the relocation of homes in the flood plain. Mr. Heck stated that he would be appointing a committee to prioritize which homes would or could be moved and to do a study before the project started. A discussion ensued.

*On a motion by Mr. Dorschner, seconded by Ms. Fung, the Board closed the meeting to the Public.*

*On a motion by Mr. McDermott, seconded by, Ms. Newman, the Board went into Executive Session.*

*On a motion by Mr. McDermott, seconded by Ms. Newman, the Board agreed to close Executive Session and adjourn the meeting at 10:01 pm.*

Submitted,

Denise Piskowski  
Planning Board Secretary