

BOROUGH OF MILLSTONE
BOROUGH COUNCIL REGULAR MEETING AGENDA
July 16, 2007

TIME:

CALL TO ORDER – OPENING STATEMENT: The regular meeting of the Borough Council, Borough of Millstone will please come to order. Adequate notice of this meeting has been noticed to the Hillsborough Beacon and Courier News. 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 proceed to the next item on the agenda.

PLEDGE TO THE FLAG:

ROLL CALL: Councilman Joe Dempster
Councilwoman Carol Halm
Councilman Norman Hewitt
Councilwoman Donna Lucash
Councilman Robert McCarthy
Councilman William Poch
Mayor Raymond Heck

REPORTS:

- Assessor
- Clerk
- Emergency Management
- Finance
- Historic Commission
- Millstone Valley Fire Department
- Recreation Commission
- State Police
- Tax Collection – May and June 2007 (attached)

PRESENTATION OF BILLS FOR PAYMENT:

COUNCIL REPORTS:

- Buildings and Grounds
- Planning Board
- Traffic and Roads

MAYOR’S REPORT

MEETING OPEN TO THE PUBLIC:

- Motion to Open the Meeting to the Public
- Motion to Close the Meeting to the Public

OLD BUSINESS:

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NEW BUSINESS:

- PRESENTATION: KEVIN WATSEY, COMMUNICATIONS LIAISON FROM NEW JERSEY AMERICAN WATER TO MILLSTONE BOROUGH.
- RESOLUTION TO EXTEND 2007 TAX GRACE PERIOD

WHEREAS, 2007 third quarter taxes are payable August 1, 2007, and

WHEREAS, the grace period for payment without interest extends through August 10, 2007, and

WHEREAS, it is deemed necessary that the grace period for payment be extended due to late mailing of the 2007 Final/2008 Preliminary Tax Bills;

NOW, THEREFORE, BE IT RESOLVED by the governing body of Millstone Borough, County of Somerset, State of New Jersey, that the grace period for payment of 2007 third quarter taxes be extended to August 31, 2007.

- 2006 AUDIT REVIEW

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2006 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52-27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

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WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Boards of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, hereby states that it has complied with the promulgations of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

- HIRE ASSESSOR SERVICES

BE IT RESOLVED by the Borough Council of the Borough of Millstone that it hereby authorizes a contract to perform 2007 Tax Year Reassessment Services for the Borough of Millstone be awarded to Assessor Services, 414 Runyon Court, Flemington, NJ 08822, in an amount not to exceed \$1060.00.

- RESOLUTION IN CONNECTION WITH THE SOMERSET COUNTY PLANNING PARTNERSHIP GRANT (GRANT APPLICATION ATTACHED)

WHEREAS, the Borough Council of the Borough of Millstone wishes to apply for the 2007 Somerset County Planning Partnership Grant; and

WHEREAS, the Millstone Planning Board and their planner have reviewed and endorsed such an application for the purposes of preserving major open space with the Borough that is of national historic significance; and

WHEREAS, to achieve this goal it is necessary to undertake a project that will implement the Millstone Borough Master Plan of 2005.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that it hereby authorizes the submission of a 2007 Somerset County Planning Partnership Grant Application.

EXECUTIVE SESSION (if necessary):

WHEREAS, the law commonly known as the “Sunshine Law” requires that Borough Council meetings be open to the public except for the discussion of certain subjects; and

WHEREAS, the “Sunshine Law” requires that a closed session be authorized by Resolution;

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Millstone that the balance of this meeting shall be closed to the public; and

BE IT FURTHER RESOLVED, that the meeting shall be adjourned at the end of the closed session; and

BE IT FURTHER RESOLVED, that the subjects to be discussed and the time of public release of the minutes of the closed session are indicated below:

<u>SUBJECT MATTER</u>	<u>TIME WHEN AND THE CIRCUMSTANCES UNDER WHICH THE SUBJECT MATTER CAN BE DISCLOSED</u>
COAH Litigation	Upon conclusion of the matter
Contract Negotiations - Land Acquisition	Upon conclusion of the matter

ADJOURNMENT:

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**MILLSTONE BOROUGH
Report of Current Month's
Receipts
MONTH ENDING MAY 2007**

	YTD Thru Last Month	Current Month	Year To Date
\$495,533.88			
Current Year Taxes		195,537.14	470,532.00
Prior Year Taxes		2,424.78	4,960.59
2008 Prepaid Taxes		0.00	0.00
Tax Title Liens		0.00	0.00
Interest & Costs		394.46	583.94
6% Penalty		0.00	0.00
Misc. Revenue (Bad Ck)		0.00	0.00
Tax Searches		0.00	0.00
Sub Total		198,356.38	476,076.53
Total		198,356.38	476,076.53
2006 Prepaid Taxes		0.00	0.00
Percent Collected to Date - Current Year			96%

Respectfully Submitted

Diane Wynn, CTC
Tax Collector

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**MILLSTONE BOROUGH
Report of Current Month's
Receipts
MONTH ENDING JUNE 2007**

	YTD Thru Last Month	Current Month	Year To Date
\$495,533.88			
Current Year Taxes		7,857.55	478,389.55
Prior Year Taxes		0.00	4,960.59
2008 Prepaid Taxes		0.00	0.00
Tax Title Liens		0.00	0.00
Interest & Costs		61.52	645.46
6% Penalty		0.00	0.00
Misc. Revenue (Bad Ck)		0.00	0.00
Tax Searches		0.00	0.00
Sub Total		7,919.07	483,995.60
Total		7,919.07	483,995.60
2006 Prepaid Taxes		0.00	0.00
 Percent Collected to Date - Current Year			 98%

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**2007 SOMERSET COUNTY
MUNICIPAL PLANNING PARTNERSHIP GRANT APPLICATION FORM**

Title	Plan Endorsement and Open Space Plan
Agency	Borough of Millstone
Budget Summary	Municipal Planning Partnership Grant Funding Requested: \$ 30,000.00 Other Funding Sources: \$ 6,000.00 - Millstone Borough
Total	\$36,000.00

PROJECT DESCRIPTION:

Millstone Borough is in the process of negotiating with key landowners the final build-out of the remainder of the Borough in a manner that will preserve major open space within the Borough that is of national historic significance.

To achieve this goal it is necessary to undertake two separate projects that will implement the Millstone Borough Master Plan of 2005.

1. Plan Endorsement, which is a complex planning process in accordance with the Office of Smart Growth that will designate the Borough as a village, and
2. An Open Space Plan in accordance with the Green Acres guidelines. Such a detailed plan is necessary to achieve the funding that is required to purchase the historic open space as outlined in great detail within the Master Plan of Millstone Borough.

GRANT REQUIREMENTS/REVIEW CRITERIA:

• Purpose Statement:

The planning assistance grant will further “Inter-jurisdictional/Regional Cooperation” between Millstone Borough and Hillsborough Township two ways; first by setting up a process for developing inter municipal sewer facilities so that the two municipalities can share the same force main that will serve the Hillsborough community directly north of Millstone Borough, which is located directly north of the Borough, and all of Millstone Borough, and second, so that the two municipalities can cooperate in open space acquisition to jointly preserve adjoining lands that are of statewide historic significance. The planning assistance grant will further Inter-jurisdictional/Regional Cooperation between Millstone Borough and Somerset County Parks Department, Green Acres, and the D & R Green Way, who are all partners in the acquisition of the historic open space within Millstone Borough.

The planning assistance grant will further “Smart Growth Concepts” by allowing for initiatives that will further smart growth development within Millstone Borough. Millstone Borough is one of the oldest communities within the State. It was built based upon what today represents Smart Growth initiatives with narrow streets, small lots, and walkable communities. The new development patterns that are proposed for the Borough are based upon the historic development and architecture patterns that currently exist within the Borough. Both the existing development within the Borough and the proposed new development are at risk if there are no sewers to sustain the existing and proposed smart growth initiatives within the Borough. The Plan Endorsement process requested through the Office of Smart Growth is a critical step in obtaining sewers for the Borough.

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The planning assistance grant will further a “Project of Regional Significance”. The Master Plan of Millstone Borough has identified in great detail the role that Millstone Borough played in the Revolutionary War when it was known as Somerset Courthouse. Fortunately, most of the most the historically significant lands within the Borough are still vacant. This has inspired Green Acres, Somerset County and the D & R Greeway to set aside major funds for the acquisition of this important site. It is the intent of the Borough that the historic areas be preserved and ultimately developed into a heritage site. By obtaining sewers through the Plan Endorsement process it is possible to cluster future development into areas outside of the historically significant lands. Otherwise, there is the threat that conventional development would be developed over the remainder vacant lands within the Borough. By meeting the Green Acres Open Space plan requirements, it is possible to obtain additional funds for open space acquisition.

With respect to the Plan Endorsement process, there are a number of critical planning initiatives that can be implemented through this process. These are: 1. Develop sewers within the Borough, which currently has no sewers. This will resolve safety issues where there are historic properties on small lots and develop the opportunity for TND infill development; 2. Develop strategies and financial assistance for flood plain mitigation to resolve the properties that frequently flood within the flood plain, including historic properties; 3. Develop strategies to take truck traffic off the scenic River Road byway, mitigate the noise, and increase traffic safety on the major roads within the Borough; 4. Develop a strategy for the Borough acquisition of the County property at the intersection of River Road and Rt. 514 for future economic development, such as a future farmers market, to increase tax ratable to the Borough; 5. Develop a strategy for the relocation and environmental mitigation of the existing gas service station located within the flood plain; 6. Develop a strategy for the acquisition of the open space adjacent the proposed Heritage Park within both Millstone Borough and Hillsborough Township. This new open space could be used to protect the historic context of the proposed heritage park and provide for lands for future farming; 7. Develop a master plan for the proposed Heritage Park. The master plan could then be used to go after grants for its implementation.

• Demonstrate Readiness to Proceed:

Project Starting Date:

1. The Plan Endorsement project has already been started. Task one of this project is almost complete. This task has been paid using the general funds of the Borough under the continuing planning assistance contract that the Borough Planner, Carter van Dyke, PP AICP, of Carter van Dyke Associates has with the Borough. The remaining tasks shall commence upon notification that there are sufficient funds. The work for this project shall be under a separate contract, which is attached. The time frame for this project is between six to eight months.
2. The Open Space Master Plan will commence upon notification that there are sufficient funds. Carter van Dyke, PP AICP of Carter van Dyke Associates will perform the work for the project. Although Carter van Dyke Associates has a continuing planning assistance contract with the Borough, the work for this project shall be under a separate contract, which is attached. The time frame for this project is estimated to be six months.

• Indicate Ability to Leverage Other Funding:

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The Borough of Millstone will be contributing \$6,000 of the general funds to match the \$30,000 requested for this project. At present there are no matching funds from any other agency.

• Indicate Prior Record of Performance and Ability to Complete Projects within the Grant Timeline:

Somerset County provided Millstone Borough with a Planning Assistance Grant for \$28,000 in July of 2004 for the completion of the Millstone Borough Master Plan. This work was commenced in December of 2005, which was within the eighteen month time period requirement of the grant.

Currently there are no active contracts or grants between Millstone Borough and Somerset County.

• Indicate schedule for current project, not exceeding 24 months with milestone dates and deliverables identified.

The proposed schedule for the Green Acres Open Space Plan is six months. See the attached list of Major Work Tasks and Milestones and time tables below:

The proposed schedule for the Plan Endorsement process is twelve to eighteen months. See the attached list of Major Work Tasks and Milestones and time tables below:

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MAJOR WORK TASKS / SCOPE OF WORK:

The following are the work tasks and deliverables for the two separate projects:

Project One: Green Acres Open Space Plan:

1. Inventory: *Weeks one through eight*
 - a. Public and Private lands for active recreation
 - b. Public and Private lands for conservation
 - c. Lands that provide access water bodies
2. Needs Analysis *Weeks one through eight*
 - a. Current recreation activity trends
 - b. Minimum recreation standards
 - c. Condition of existing facilities
 - d. Demographic trends that will impact future needs
 - e. Projected land and facilities to meet projected needs
3. Resource Assessment *Weeks one through eight*
 - a. Linear and open space facilities
 - b. Supporting conservation efforts
 - c. Supporting community objectives for open space
 - d. Additional public access to waters
 - e. Development of active recreational facilities
4. Needs Analysis *Weeks nine through sixteen*
 - a. Description of current recreation activities and participation levels
 - b. Statement of minimum standards of acceptable activities from the community
 - c. Discussion of condition of existing recreation facilities
 - d. Description of community changes that will impact the facilities
 - e. Discussion of additional land and facilities need to meet projected needs
5. Resource Assessment *Weeks nine through sixteen*
 - a. Creation of linear recreation facilities
 - b. Supporting conservation objectives including historic preservation
 - c. Additional public access to waterways
 - d. Development of recreational facilities.
6. Goals and Objectives
7. Action Plan *Weeks seventeen through twenty-four*

Plan for a 5 year period for new actions that includes the following

 - a. Show details on the location, priority and cost of proposed land protection and facility development
8. General Open Space System Map *Weeks seventeen through twenty-four*
9. Additional Parcel Data Requirements *Weeks seventeen through twenty-four*
 - a. Document existing and proposed open space sites
10. Public Participation *ongoing*

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- a. There will be 4 public meeting with the Planning Boards, coordination with Hillsborough Planning Board, and attendance at one Borough Council Meetings.
11. Executive Summary *Weeks seventeen through twenty-four*

Project Two: Plan Endorsement

1. Public Policy Documentation *(Complete)*
 - a. Prepare a memorandum of intent. *(Complete)*
 - b. Prepare a list of all public documents, make hard copies and digital copies for delivery to the Office of Smart Growth *(Complete)*
 - c. Prepare a resolution from Borough Council requesting a pre petition meeting. *(Complete)*
2. Meeting with Office of Smart Growth and Initial Assessment *Weeks one through four*
 - a. Appoint a Steering Committee that is representative of the Borough
3. Community Inventory: *Weeks four through sixteen*

Prepare a Community Inventory showing key population trends, housing, and economic conditions, public facilities, transportation and natural, cultural and recreational resources. The report shall demonstrate the most important demographic and socio-economic trends facing the community. This work will be performed with the assistance and review of the Steering Committee to ensure accuracy. Note; Part of the inventory shall include coordination with the adjacent municipalities and the county to coordinate all planning efforts.
4. Community Visioning *Weeks sixteen through thirty*
 - a. Conduct a Community Visioning and adopt a final Community Vision. This shall include a community focus group exercise or public focus group/public forum to develop public consensus. From this process, the community shall adopt a Community Vision Plan. The community visioning plan shall include the following:
 - Description of the community visioning exercise per the OSG best practices.
 - Set forth clear discussion of what the community should look like in the future.
 - Meeting with adjacent municipalities to review the compatibility of the vision plan.
 - Vision statement, goals and objectives
 - Project a 20 - year planning horizon.
 - Prepare a draft action plan for the implementation of the Plan.
 - b. Submit Community Vision Plan with a resolution to the office of Smart Growth to complete the petition process.

PROJECT BUDGET:

Open Space Plan

The total not-to-exceed professional fee for the Open Space Plan is \$14,385 including all professional services and materials. This is also the total amount requested for this project. It is not anticipated that there will be any outside sources for additional funds for this project. Please refer to the attached cost breakdown of the costs for this project:

Plan Endorsement

The total not-to-exceed professional fee for the Plan Endorsement is \$21,615.00 including all professional services and materials. \$6,000 of this is funded by Millstone Borough through its general funds.

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Please refer to the attached cost breakdown of the costs for this project:

PROJECT MANAGEMENT:

- Project management procedures used to complete the proposed project: Susan Carr, controller of Carter van Dyke Associates, shall be designated as the individual who will be responsible for processing payment requests and for the submission of all required grant materials. Note: all payment vouchers will receive the approval of the full Planning Board on a form provided by the Planning Board. The approved payment requests will then be forwarded to the County by the Planning Board Secretary. The project manager will also be responsible for issuing a brief quarterly progress report providing a project update.
 Project manager is Carter van Dyke, PP., President of Carter van Dyke Associates, Planners and Landscape Architects. Contact information is noted below.
- Checklist: Upon submission of the final work product, the project manager shall include a checklist of all originally proposed scope of work items, which shall include specific reference(s) describing where in the product each of the identified scope of work items are addressed and/or, as appropriate, how such item was completed.
- The following is all other appropriate contacts, with address, telephone number and extension, fax and e-mail address information.

Contacts

Name	Position	Address	Phone/ext.	Fax	E-mail
van Dyke, Carter <i>Project Mgr</i>	Carter van Dyke Associates <i>consultant</i>	40 Garden Alley Doylestown, PA 18901	215-345-5053 x113	215-345-4324	cvdljr@aol.com carter@cvda.com
Reynolds, Lynn <i>technition</i>	Carter van Dyke Associates <i>consultant</i>	40 Garden Alley Doylestown, PA 19801	215-345-5053 x132	215-345-4324	lynn@cvda.com arsmedicaLJR@aol.com
Ciurleo, Sal	Millstone PB	25 Van Doren Dr. Millstone, NJ 08844	908-420-6876		kcjs@patmedia.net
Devoti, Dan	Zoning Officer	4 West Street Millstone, NJ 08844	908-209-2978		dand_40@yahoo.com
Dorschner, Keith	Chairman Millstone PB	10 Yorktown Road Millstone, NJ 08844	732-932-9575 x4615		dorschner@aesop.rutgers.edu
Halm, Carol	Millstone PB/ Borough Council	75 Amwell Road Millstone, NJ 08844	732-249-7800		Carol.Halm@twp.franklin.nj.us
Heck, Ray	Millstone PB/ Borough Mayor	Van Doren Drive, Millstone, 08844			rheck42@aol.com
Maffie, Frank	Millstone PB	23 Yorktown Road Millstone, NJ 08844	908-203-0890		maffosta@hotmail.com

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McDermot, Richard t	Millstone PB	20 Amwell Road Millstone, NJ 08844	908-359-0608		rlm874@patmedia.net
Milgrom, Arthur	Millstone PB	26 Beardless Road Millstone, NJ 08844	732-246-1720		aard.son@verizon.com
Pongrazzi, Rebecca	Millstone PB	6 Maple Terrace Millstone, NJ 08844	908-464-0322		rebeccapongrazzi@patmedia.net
Muller, Gerard	Millstone PB Attorney	Miller, Porter & Muller, PC One Palmer Square, Suite 540, Princeton, NJ 08542	609-921-6077	609-497-1439	gmuller@mpmglaw.com
Piszkowski, Denise	Millstone PB Secretary	475 Kenbury Road Branchburg, 08876	908-526-1300 x102	908-541-1738	millstonepb@hotmail.com
Offen, Stephen	Borough Attorney	P.O. Box 1018, Somerville, 08876	908-722-0700	908-722-0755	smoffen@nmmlaw.com
Bonin, Gregory	Borough Clerk/ Registrar	135 Terhune Lane, Hillsborough, 08844	908-526-1320	908-541-1738	millstoneclerk@patmedia.net
Dempster, Joe	Borough Council	17 Van Doren Drive, Millstone, 08844	908-874-7122	908-874-6771	joe.dempster@gmail.com
Hewitt, Norman	Borough Council	Millstone, 08844	908-359-3598		TABPITCH@aol.com
Lucash, Donna	Borough Council	118 Amwell Road, Millstone, 08844	732-249-9362		dmlucash33@yahoo.com
McCarthy, Robert	Borough Council	8 Van Doren Drive, Millstone, 08844	908-727-4820		
Poch, William	Borough Council President	9 Yorktown Road, Millstone, 08844	908-359-9463	908-359-9464	william.poch@allisontransmission.com

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APPLICATION MATERIAL

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- The application material shall include an acknowledgement of receipt of the 2007 Somerset County Municipal Planning Partnership Program Guidelines.
The consultant and the Millstone Borough Planning Board and Council have received and read the *2007 Somerset County Municipal Planning Partnership Program Guidelines* (<http://www.co.somerset.nj.us/planweb/mppg/mppguidelines.htm>).
 - The application is accompanied by an executed resolution adopted by Millstone Borough Council at their meeting on July 16th, 2007 authorizing the undertaking of the proposed two projects if Somerset County funds are awarded.
 - Application submission includes ten (10) copies of the application and one original.