



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING AGENDA
January 21, 2019

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 Vincent Biviano
Councilman Derek Dandy
Councilman Alan Kidd
Councilwoman Denene Smerdon
Councilman John Stashek
Council President Scott Ross
Mayor Raymond Heck

Also Present:

MINUTES:

- January 3, 2019 Reorganization meeting
- January 3, 2019 Regular meeting

REPORTS:

- Assessor:
- Board of Health:
- Borough Clerk:
- Emergency Management/State Police/Millstone Valley Fire Department:
- Environmental Commission:
- Finance/Tax Collection:
- Historic Commission:
- Recreation Commission:

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



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- Motion to Close the Meeting to the Public

APPROVAL OF CLAIMS FOR PAYMENT:

WHEREAS, request for payment has been made in connection with the following claims against the Borough of Millstone on the below spread sheet; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to pay for the following claims;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, NEW JERSEY, that the proper Borough Officials are hereby authorized to pay the following bills, subject to and contingent upon appropriation of sufficient funds and that this authorizing Resolution be and is hereby made a part of the official records of the Borough of Millstone.

CHECK	VENDOR	ACCOUNT	AMOUNT	PO NO.	ACCOUNT NO.
		2018 RESERVE CURRENT FUND			
4334	R & L Data Centers	Dec Payroll Services; Inv. 95852	\$143.00	8-020	8-20-100-20
4335	Wendy Heck	Reimb Polar Express Night	\$223.20	9-011	8-20-110-20
4335	Wendy Heck	Reimb coffee with Mayor	\$15.34	9-011	8-20-110-20
4336	JPMonzo Municipal Consult.	Webinar for Mayor Raymond Heck on 12/13/18	\$50.00	8-094	8-20-101-20
4337	Rebecca Newman	Reimb out of pocket expenses office supplies, postage	\$112.84	9-012	8-20-145-20
4338	Stephen M. Offen, Esq.	Dec Inv. 10909724 -Afford Housing Litigation	\$55.00	8-015	8-20-155-20
4338	Stephen M. Offen, Esq.	Dec Inv. 10909726 -Elev & Relocation	\$165.33	8-015	8-20-155-20
4338	Stephen M. Offen, Esq.	Dec Inv. 10909725 -Non litigation Services	\$300.00	8-015	8-20-155-20
4339	NJ American Water	Dec 2018; Acct 1018-210022797651; Fire Hydrant	\$1,066.72	8-017	8-25-265-20
4340	Township of Branchburg	2018 Leaf Pick up and Disposal	\$6,000.00	8-060	8-26-290/305-20
4341	NJ American Water	Dec 2018; Acct 1018-210022093410; Mun Bldg	\$25.30	8-016	8-26-300-20
4342	Republic Services	Dec 2018 Sanitation Services; Inv. 0865-001662912	\$2,538.10	8-019	8-26-305-20
4353	Franklin Police Department	December Services; Inv. FTPD013193-5	\$2,100.00	8-021	8-42-240-20
		2018 RESERVE CURRENT FUND - PREPAID			
4333	Verizon	Dec 2018; Inv. 9821037996; Dec 26 - 1/25	\$154.15	8-013	8-31-440-20
Wire	State of NJ-Div of Pensions & Benefits	4th Quarter Pension/Life Insurance Payment	\$749.44	8-043	Fund Balance



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2019 CURRENT FUND					
4343	NJCM	2019 Membership Dues	\$295.00	9-001	9-20-101-20
4344	NJCM	2019 Mayors Winter Summit - Jan 31, 2019	\$120.00	9-006	9-20-101-20
4345	Mailbox Business Center	Dog/Cat Licenses Renewal - Rev	\$163.51	9-019	9-27-340-20
4346	PSE&G	Jan 2019; Acct No. 66-363-804-03; Amwell Rd	\$101.02	9-015	9-31-435-20
4347	PSE&G	Jan 2019; Acct No. 65-081-353-09; Amwell & Main	\$103.50	8-016	9-31-435-20
4348	PSE&G	Jan 2019; Acct 13-014-015-01; Master Acct	\$721.24	9-017	9-31-435-20
4349	CenturyLink	January 2018 comm services; Acct #309982488	\$107.26	9-013	9-31-440-20
4350	County of Somerset	2019 1st Quarter Taxes - County	\$43,297.73	9-018	Fund Balance
4351	County of Somerset	2019 1st Quarter Taxes - Library	\$6,420.26	9-018	Fund Balance
4352	County of Somerset	2020 1st Quarter Taxes - Open Space	\$4,094.96	9-018	Fund Balance
2019 CURRENT FUND - PREPAID					
4332	Middlesex Cty Joint Ins Fund	First Installment 2019 Midd Cty Joint Ins Assessment	\$3,350.00	9-003	9-23-220-20
Transfer	Millstone Payroll Fund	January Payroll	\$1,500.00		
Transfer	Millstone Payroll Fund	January Payroll	\$1,800.00		
TOTAL CURRENT FUND			\$75,772.90		
PAYROLL FUND					
			\$1,111.50		
			\$953.67		
			\$606.92		
			\$476.83		
			\$138.75		
			\$251.51	9-008	
TOTAL PAYROLL			\$3,539.18		

NEW BUSINESS:

- **PUBLIC HEARING/ADOPTION OF ORDINANCE No. 2019-001: AN ORDINANCE AUTHORIZING THE ACQUISITION OF 13 SOUTH RIVER STREET, ALSO KNOWN AS BLOCK 4, LOTS 3 AND 4 IN THE BOROUGH OF MILLSTONE, COUNTY OF SOMERSET, STATE OF NEW JERSEY**
 - Motion to open the public hearing
 - Motion to close the public hearing
 - Motion to adopt Ordinance 2019-001



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WHEREAS, Carl Kestner (“Kestner”) unmarried, is the owner of real property and the residence located at 13 South River Street, also known as Block 4, Lots 3 and 4 on the Millstone Borough Tax Map (the “Property”); and

WHEREAS, the Property is prone to flooding; and

WHEREAS, the New Jersey Department of Environmental Protection has authorized the relocation of the residence on the Property to another location in Millstone Borough so that the Property can become open space for the Borough of Millstone under Project No. 13-0342 dated May 18, 2015; and

WHEREAS, the Borough of Millstone has entered into an agreement with the Federal Emergency Management Authority with partial funding of the Project to relocate the residents on the Property to another location in the Borough of Millstone; and

WHEREAS, the Borough of Millstone through Ordinance No. 2011-001 adopted an Amended Redevelopment Plan for a portion of the Borough of Millstone entitled “Main Street Redevelopment Plan; and

WHEREAS, through Ordinance No. 2014-004 the Borough designated as Somerset County Improvement Authority (the “Authority”) as redevelopment entity pursuant to N.J.S.A. 40:37A-44 et seq. and N.J.S.A. 40A:12A-4(b)(3); and

WHEREAS, the Authority is the owner of Block 1.01, Lot 1.022 in the Borough of Millstone which was created for the purpose of relocating structures such as the residence located on the Property which are prone to flooding to safer locations within the Borough of Millstone; and

WHEREAS, Kestner desires to relocate his residence from the Property to Block 1.01, Lot 1.022; and

WHEREAS, the Borough of Millstone desires to obtain the Property for open space; and

WHEREAS, the Borough of Millstone, Kestner and the Authority will enter into a Kestner Relocation Agreement (the “Agreement”) by which Block 1.01, Lot 1.022 will be transferred to Kestner and Kestner will transfer to the Borough of Millstone the Property; and

WHEREAS, the Borough of Millstone will pay no financial consideration to Kestner or the Authority for the acquisition of the Property.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MILLSTONE, SOMERSET COUNTY, NEW JERSEY THAT:

1. In accordance with the Authority under N.J.S.A. 40A:12-5, the Borough of Millstone be and is hereby authorized to acquire the Property without the payment of any financial consideration to Kestner for the Property in accordance with the recitals set forth above; and
2. The Borough of Millstone be and is hereby authorized to enter into an Agreement with Kestner and the Authority for the acquisition of the Property and to execute any and all documents necessary to effectuate the acquisition of the Property; and
3. On behalf of the Borough, the Mayor and Clerk of the Borough are hereby authorized to execute the Agreement and such other documents as may be necessary to implement the actions approved by this ordinance.
4. This ordinance shall take effect upon its passage and publication, as provided by law.



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- **RESOLUTION TO AUTHORIZE THE PROPER BOROUGH OFFICIALS TO ENTER INTO A CONTRACT WITH R & L DATA CENTERS, INC. TO PROVIDE FOR PAYROLL RELATED SERVICES FOR THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF MILLSTONE**

WHEREAS, the Borough of Millstone requires the provision of certain payroll-related services for the officers and employees of the Borough, and

WHEREAS, R&L Data Centers, Inc. has been the Millstone vendor reliably providing payroll services to the Borough and there is the need to renew the contract for the year 2019; and

WHEREAS, the proposed contract has been reviewed by Legal Counsel for the Borough, and

WHEREAS, the agreement is intended to comply with the requirements of N.J.A.C. 52:27D-20.1 and 5:30-17.1 et. seq. governing electronic disbursement controls for payroll purposes, and

NOW, THEREFORE, IT IS RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, NEW JERSEY, that the proper Borough Officials are hereby authorized to enter into an agreement with R & L DATA CENTERS, INC., 44 Main Street, PO Box 548, Bloomsbury, NJ 08804 for the calendar year 2019 as stated herein.

- **RESOLUTION CERTIFYING A SUBMISSION OF EXPENDITURE FOR TAXES PAID FROM THE BOROUGH OF MILLSTONE RECYCLING FUND PURSUANT TO P.L.2007, CHAPTER 311, IN 2017**

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Millstone that Borough of Millstone hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2018 in the amount of \$540.00. Documentation supporting this submission is available at 1353 Main Street, Millstone, New Jersey 08844 and shall be maintained for no less than five years from this date.

- **RESOLUTION APPROVING A MANDATORY SOURCE SEPARATION AND RECYCLING GRANT SUBMISSION**

WHEREAS the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and



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WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for apply for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Millstone to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Millstone hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Denene Smerdon to ensure that the application was properly filed in 2019; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant by deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling

OLD BUSINESS:

- Sewers –
- FEMA Flood Mitigation Project –

EXECUTIVE SESSION:

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;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Millstone that they intend to enter executive session and then return to the regular meeting of the Borough Council; 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>
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ADJOURNMENT: