



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
October 25, 2017

TIME: 7:33 PM

CALL TO ORDER – OPENING STATEMENT: Mayor Heck called the meeting to order with the reading of the following 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: Mayor Heck led those present on the flag salute.

<u>ROLL CALL:</u>	Councilman Derek Dandy	Absent
	Councilwoman Merry Emmich	Present
	Councilman Alan Kidd	Present
	Councilwoman Denene Smerdon	Present
	Councilman John Stashek	Present
	Council President Scott Ross	Present
	Mayor Raymond Heck	Present

MINUTES:

- July 17, 2017 Executive meeting minutes

Council President Ross offered a motion to accept the minutes. Seconded by Councilwoman Smerdon.

Roll Call: Emmich – yes, Kidd – abstain, Smerdon – yes, Stashek – abstain, Ross – yes

- July 17, 2017 Regular meeting minutes

Council President Ross offered a motion to accept the minutes. Seconded by Councilwoman Smerdon.

Roll Call: Emmich – yes, Kidd – abstain, Smerdon – yes, Stashek – abstain, Ross – yes

- September 27, 2017 Regular meeting minutes (dd, js, sr abstain)

Council President Ross offered a motion to accept the minutes. Seconded by Councilwoman Smerdon.

Roll Call: Emmich – yes, Kidd – yes, Smerdon – yes, Stashek – abstain, Ross – abstain

REPORTS:

- Assessor: no
- Board of Health: no
- Borough Clerk: Clerk Bonin reminded those present that the General election is November 7. Polls open from 6:00 AM to 8:00 PM.
- Emergency Management/State Police/ Millstone Valley Fire Department: no report
- Environmental Commission: Mayor Heck stated there is a meeting at the end of the month and he believes the Commission will receive and application for tree removal.



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- Finance/Tax Collection: CFO Pollex reviewed the Best Practices Survey and stated that we have answered affirmative to enough questions so our State aid will not be changed.
- Historic Commission: Mayor Heck commented that this past weekend's "Journey to the Past" was another great success
- Recreation Commission: Mayor Heck stated that spooky movie night is happening within the next week.

COUNCIL REPORTS:

- Buildings and Grounds: no report
- Planning Board: no report.
- Traffic and Roads: Councilman Kidd commented that Ann St looks good but there needs to be an improvement to the speed bump. Mayor Heck acknowledged this and will work with the vendor. He also stated that the Borough will be submitting an application to the State DOT for a grant for repairs to South River St. Councilman Kidd stated we will be doing two leaf pickups this year mid-November and early December. A post card will go out with dates and instructions.

Councilman Kidd offered a motion to accept the reports. Seconded by Councilwoman Emmich.

Roll Call: Emmich – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes

MAYOR'S REPORT:

Mayor Heck stated it has been a busy month with two roads being paved and improved. Also he has been working on all the renewal of the County All Hazards Mitigation Grant. Mayor Heck asked Councilman Kidd to assist with public work related portion of this project.

MEETING OPEN TO THE PUBLIC:

- Motion to Open the Meeting to the Public

Council President Ross offered a motion to open the meeting to the public. Seconded by Councilwoman Smerdon.

Roll Call: Emmich – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes

- Motion to Close the Meeting to the Public

There being no public wishing to speak, Councilwoman Emmich offered a motion to close the meeting to the public. Seconded by Councilwoman Smerdon.

Roll Call: Emmich – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes

APPROVAL OF CLAIMS FOR PAYMENT:

CFO Pollex stated there is one amendment to the claims list. Payment to the county engineer will be amended to \$4,861.65. The Borough Council agreed to the amendment.

Council President Ross offered a motion to approve the claims for payment. Seconded by Councilwoman Smerdon.

Roll Call: Emmich – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes



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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.

4013	R & L Data, Inc.	Sept. Services; Inv. #91777	\$199.74
4014	Courier News (NJ Press Media Solutions)	Pub Ord. #2017-003; Inv.# 0000	\$45.32
4015	NJ League of Municipalities	League Conference attendee Meals.	\$65.00
4016	Stephen M. Offen, Esq.	9/2017- COAH services, Inv.10785480	\$200.00
4016	Stephen M. Offen, Esq.	9/2017-non-litigation services, Inv.10785482	\$300.00
4016	Stephen M. Offen, Esq.	9/2017-Elevation/Reloc.,Inv.10790864	\$50.00
4017	Somerset County Treasurer/Eng. Div.	Eng. IInv.#257 for services 7/1-8/31, 2017	\$4,861.65
4018	Carter Van Dyke Assoc., Inc.	Ord. Codification, 8/2017, Inv. # 17744	\$451.50
4019	Miller, Porter & Muller, P.C.	Gen.Planning Services; Inv. # 12768, 7&8/2017	\$615.00
4020	A & W Contracting	Sept. Services; Inv#45482,45588,45629,45732,45770 and 45924.	\$300.00
4021	N.J. American Water	September 2017 Fire Hydrant Service	\$1,133.44
4022	SDG Security	4th Qtr. Alarm services, Inv. #R 172423	\$147.80
4023	N.J. American Water	Sept. 2017 Water Service to Mun Bldg	\$31.31
4024	Sal Ciurleo	Reimbursement; ramp recon. Mun. Bldg.	\$963.62
4025	Republic Services	Sept. 2017 San. Services, Inv. #0865-01480874	\$2,465.00
4026	Som. Cty. Treas./ Recycling Division	3rd Qtr. Recycling Services	\$989.78
4027	Public Service Elec. & Gas	Sept. 2017; Acct# 65 081 353 09	\$110.56
4028	Public Service Elec. & Gas	Sept. 2017; Acct# 66 363 804 03	\$107.26
4029	Public Service Elec. & Gas	Sept. 2017; Master Accts #13-014-015-01	\$678.70
4030	Century Link	Sept. 2017 Communication services	\$105.66
4031	Franklin Twp (Police)	Sept. Police Services; Inv.#FTPD011490,11491,11492	\$2,800.00
4032	Top Line Construction Corp.	Beardslee Road, Partial Payment No.2	\$116,093.43
4033	Countryside Landscaping&Tree Experts	Tree Removal Services, Inv.#1775	\$16,500.00
4034	Som. Cty. Treasurer	4th Qtr. County (\$ 41,761.91), Library (\$ 6,108.39) and	\$51,864.16
4035	&4036(3 checks issued by their request)	Open Space Tax Due (\$ 3,993.86)	



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4037	Hillsborough Tp. Bd. Of Ed.	4th Qtr. School Tax Due	\$234,328.25
	PREPAID BILLS		
4012	Verizon Wireless	Sept. Services; Invoice #9793414645	\$181.02
	SEPTEMBER 2017 Payroll		\$435,588.20
		Mun. Clerk, S&W	\$1,050.00
		Tax Collection, S&W	\$1,166.67
		Tax Assessment, S&W	\$583.33
		Planning Board, S&W	\$458.33
		Finance (Q.P.A.)	\$133.33
		O.A.S.I.	\$259.47
4011	Millstone Payroll Fund (October 2017)	TOTAL PAYROLL	\$3,651.13
		OTHER TRUST	\$439,245.44
1104	Miller, Porter & Muller, P.C.	Hillstone Reformed Church Parsonage Inv. # 12769	\$563.75
1104	Miller, Porter & Muller, P.C.	Hillstone Reformed Church Parsonage Inv. # 12767	\$153.75
			\$717.50

EXECUTIVE SESSION:

A motion to enter executive session at 7:43 PM was offered by Councilman Kidd. Seconded by Councilwoman Emmich.

Roll Call: Emmich – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes

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>
Contract Negotiations	When the matters are complete
<ul style="list-style-type: none"> • JIF Contract. • Hillsborough MUA Agreement • Kestner Flood Mitigation project • Franklin Court Agreement 	

The Borough Council re-entered the regular meeting at 7:59 PM.



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NEW BUSINESS:

- **AUTHORIZING THE PROPER BOROUGH OFFICIALS TO SUBMIT THE REQUIRED APPLICATION DOCUMENTS TO THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND**

The Borough Council decided to table this matter until the November meeting.

- **RESOLUTION AMENDING THE CASH MANAGEMENT PLAN AND THE LISTING OF FINANCIAL INSTITUTIONS DESIGNATED TO ACT AS DEPOSITORIES FOR MUNICIPAL FUNDS**

Councilwoman Smerdon offered a motion to amend the cash management plan. Seconded by Councilwoman Emmich.

Roll Call: Emmich – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes

WHEREAS, the Borough of Millstone in the County of Somerset, State of New Jersey, annually adopts a Cash Management plan and designates financial institutions authorized by the Mayor and Council to act as depositories for municipal funds, and

WHEREAS, pursuant to pertinent regulations adopted by the State of New Jersey, financial institutions must participate in and be certified as a G.U.D.P.A. certified institution by the State of New Jersey and furnish a copy of a valid certification to be eligible to act as a depository for Millstone municipal funds, and

WHEREAS, First Bank (Somerset Branch), 225 DeMott Lane, Somerset, NJ 08873, is a participant in the New Jersey G.U.D.P.A. program and has furnished a copy of its current certification as evidence of its eligibility to act as a depository for municipal funds owned by the Borough of Millstone.

NOW, THEREFORE, IT IS RESOLVED by the Mayor and Council of the **Borough of Millstone** in the **County of Somerset, New Jersey**, that First Bank (Somerset Branch) is hereby added to the Cash Management Plan for the Borough and is added to the list of designated financial institutions authorized to act as depositories for Municipal Funds.

- **RESOLUTION TO ESTABLISH AND ADOPT A "COMPLETE STREETS POLICY" FOR MILLSTONE BOROUGH**

Councilwoman Emmich offered a motion to adopt a complete streets policy. Seconded by Councilwoman Smerdon.

Roll Call: Emmich – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes

WHEREAS, Millstone Borough is committed to preserve its village with its rich historic and scenic heritage by creating street corridors that safely accommodate all road users including pedestrians, bicyclists, transit vehicle users and motorists, of all ages and abilities; and

WHEREAS, the Borough Council of Millstone desires to implement a Complete Streets policy through the planning, design, construction, operation of new and retrofitted transportation facilities within public rights-of-way, enabling safe access and mobility of all users of all ages and abilities; and

WHEREAS, the New Jersey Department of Transportation's Complete Streets Policy No. 703 states "A Complete Street is defined as means to provide safe access for all users by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options"; and



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WHEREAS, as part of the aforementioned policy, the New Jersey Department of Transportation strongly encourages the adoption of similar policies by regional and local jurisdictions who apply for funding through Local Aid programs; and

WHEREAS, the Millstone Planning Board adopted the Township's Master Plan -Circulation Plan Element, which promotes a comprehensive network to provide better connectivity within the Borough and surrounding areas; and

WHEREAS, the benefits of Complete Streets are many and varied. The full integration of all modes of travel in the design of streets include improving safety for pedestrians, bicyclists, children, older citizens, non-drivers and the mobility challenged as well as those that cannot afford a car or choose to live car free; providing connections to bicycling and walking trip generators such as employment, education, residential, recreation, retail centers and public facilities; promoting healthy lifestyles; creating more livable communities; reducing traffic congestion and reliance on carbon fuels thereby reducing greenhouse gas emissions; and saving money by incorporating sidewalks, bike lanes, safe crossings and transit amenities into the initial design of a project, thus sparing the expense of retrofits later; and

WHEREAS, the design and construction of new roads and facilities should anticipate future demand for walking, biking and other alternative transportation facilities and not preclude the provision of future improvements; and

WHEREAS, The Borough Council of Millstone supports this "Complete Streets" initiative and wishes to reinforce its commitment to creating a comprehensive, integrated, connected multi-modal street network that safely accommodates all road users of all abilities and for all trips; and

NOW, THEREFORE, LET IT BE RESOLVED, by the Millstone Borough Council that all public street projects, both new construction and reconstruction (excluding maintenance) undertaken by Millstone Borough shall be designed and constructed as "Complete Streets" whenever feasible to do so in order to safely accommodate travel by pedestrians, bicyclists, other alternate forms of transportation, transit, and motorized vehicle and their passengers, with special priority given to pedestrian safety; and

BE IT FURTHER RESOLVED, that bicycle, pedestrian and transit facilities shall be designed to conform with the best currently available standards and practices and should complement the context of the surrounding community; and

BE IT FURTHER RESOLVED, that requests for exemptions from the Complete Streets policy shall be presented in writing to the Borough Council, after review by the Planning Board and professionals, and shall be documented with supporting data that indicates the reasons for exemption, which are limited to the following:

- a. Pedestrian and bicycle facilities and other alternate forms of transportation shall not be required where they are prohibited by law.
- b. Public transit facilities shall not be required on streets not serving as transit routes, and the desirability of transit facilities will be determined on a project specific basis.
- c. There is scarcity of population, travel and attractors, both existing and projected, that would warrant these accommodations.
- d. Detrimental environmental impacts would outweigh the need for these accommodations.
- e. In any project, should the cost of pedestrian, public transit, bicycle facilities and/or other alternate forms of transportation cause an increase in project costs in excess of 20%.

The need for and/or the probable use of the facility shall be considered in making the determination as to whether or not an exemption shall be approved at this time or held for future consideration.

BE IT FURTHER RESOLVED, that municipal departments and professionals should review and either revise or develop proposed revisions to all appropriate plans, development regulations, laws, procedures, and rules including subsequent updates to the Millstone Borough Master Plan, to integrate, accommodate, and balance the needs of all users in all projects; and



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BE IT FURTHER RESOLVED, by the Millstone Borough Council hereby adopts this "Complete Streets" policy as outlined in the resolution.

- **RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION 2018 STATE AID GRANT PROGRAM FOR SOUTH RIVER STREET RESURFACING.**

Council President Ross offered a motion to authorize the grant application. Seconded by Councilwoman Smerdon.

Roll Call: Emmich – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes

NOW, THEREFORE, BE IT RESOLVED that Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey, formally approve the grant application for the New Jersey Department of Transportation 2018 State Aid Grant Program for South River Street Resurfacing.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application via SAGE to the New Jersey Department of Transportation on behalf of the Borough of Millstone.

BE IT FURTHER RESOLVED that Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Millstone and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

OLD BUSINESS:

- Best Practices Survey – CFO Pollex reviewed our grading of the 25 questions. We scored high enough to not have a reduction in State Aid.
- Court agreement – Attorney Offen stated the Borough Council has directed Attorney Offen and CFO Pollex to work with Franklin Township to resolve outstanding issues.
- Sewers – Attorney Offen stated the Borough Council has authorized sending a draft agreement to the HMUA.
- FEMA Flood Mitigation Project - Mayor Heck stated there are two homes outstanding, one was removed from the grant, and one is still remaining and another has expressed interest. Mayor Heck stated more homes are interested in grants and when another round begins we will apply.

ADJOURNMENT:

Council President Ross offered a motion to adjourn the regular meeting at 8:20 PM. Seconded by Councilwoman Smerdon.

Roll Call: Emmich – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes

Attested to:

A handwritten signature in black ink, appearing to read "G. J. Bonin".

Gregory J. Bonin, Borough Clerk