



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
November 19, 2018

TIME: 7:30 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.

ROLL CALL:	Councilman Clint Bowers	Absent
	Councilman Derek Dandy	Present
	Councilman Alan Kidd	Present
	Councilwoman Denene Smerdon	Present
	Councilman John Stashek	Present
	Council President Scott Ross	Present
	Mayor Raymond Heck	Present

Also Present: Attorney Stephen Offen, CFO Laura Popick, Borough Clerk Gregory Bonin

MINUTES:

- October 15, 2018 Regular meeting minutes

Councilman Kidd offered a motion to approve the minutes. Seconded by Council President Ross.

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

REPORTS:

- Assessor: no report
- Board of Health: no report
- Borough Clerk: Clerk Bonin stated there was no issue with election.
- Emergency Management/State Police/Millstone Valley Fire Department: Mayor Heck reported there was a large mutual aid call. Chief McDonald of the Millstone Valley Fire Department reported that during the last week of October a debris pile on a property in Hillsborough was on fire and it was difficult getting water to the site. There was a mutual aid response wherein Millstone provide fill site filling tanker trucks with water. He stated the firefighting efforts continued for about 15 hours. Good work between Franklin, Millstone and Hillsborough working together. All safe. Mayor Heck commented that the fire created smoke conditions of then unknown contaminants. Mayor Heck stated he had DEP on site to test the air quality in Millstone.
- Environmental Commission: no report
- Finance/Tax Collection: Review of Best Practices spreadsheet – CFO Popick reviewed the budget reports with the township committee and the tax collection reports for September and October. CFO Popick reviewed with the TC the best practices checklist. She had to submit the worksheet by November 12th and discuss it at the next meeting. CFO Popick explained to the public what the best practices worksheet is and what it is intended for. CFO Popick reported that the borough was able to answer enough questions in the affirmative so that our state aid is not at risk. She reviewed with the Borough Council the questions that we had to answer “no” and some of the reasons for those answers.



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- **Historic Commission:** Patricia Morris reported that the Somerset County Journey into the Past weekend event was a success with Millstone having an open house at the Borough Hall. Mayor Heck added that the Canal Fest and Fire company events coincided with this event to make it a great day. Patricia Morris added that the Millstone historic district is truly the crossroads of the revolution due to the encampments and events which took place here.
- **Recreation Commission:** Fire Chief McDonald of the east Millstone Fire Company stated there will be a tree lighting in East Millstone and Santa visit will take place in the first week or so in December.

COUNCIL REPORTS:

- **Buildings and Grounds:** no report
- **Planning Board:** no report
- **Traffic and Roads:** Councilman Kidd reported that the scheduled leaf pick up got cut short due to the snow. The crews will return to complete the first pickup next week. The next pick up will be on or about December 6th. A new postcard will be sent. Councilman Kidd reminded residents not to pile leaves up around mailboxes or other poles. Also, don't block the gutter.

MAYOR'S REPORT:

Mayor Heck stated there has been a lot of activity in the borough. Mayor Heck reported on issues relating to cars passing school busses and speeding. Mayor Heck explained the process of siting a traffic feedback sign and short- and long-term solutions for these problems. Mayor Heck stated the borough is also dealing with abandoned properties in town and using our ordinance to try and force compliance.

Lastly, Mayor Heck stated that they have noticed real estate signs on Court House Rd on the Hillsborough side and the Borough is trying to figure out for what use that property is being advertised. Even though the property is in Hillsborough the effects will be felt in Millstone so we need to know what is going on at the properties.

Mayor Heck stated that Councilwoman Smerdon is now CERT certified and that there was a recent upgrade to the computer system for the borough.

Mayor Heck stated he was at NJLOM conference and speaking with people about creating walking paths.

Mayor Heck stated that the Millstone Workshop has had a soft opening and will open full time next week. He encouraged residents to support this new local business.

Mayor Heck stated that the Borough ordinances are in the process of being codified and placed on line. The planning board ordinances are now online. The borough general ordinance will be done next.

A motion to approve the reports was offered by Councilman Kidd. Seconded by Councilwoman Smerdon.

Roll Call: Dandy – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes.

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 Councilman Kidd.

Roll Call: Dandy – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes.



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Rebecca Newman spoke as a resident and brought up concerns about her taxes and services. She stated she had previously emailed a list of questions and received some answers via Facebook. She asked about various positions that have been budgeted for and not filled. She questioned why the court costs are higher than the contract. She asked about the potential Tax Assessor shared service that did not happen this year. She also asked why revenues were not shown in the budget. She asked the Borough Council to look into items such as the vacant house registration ordinance. She does not believe the current ordinance is strong at all. She would like to know who enforces the vacant home ordinance. She questioned why homes have not been acquired by the borough and resold. She stated that property maintenance is also a problem for the borough. The current ordinance is outdated. She commented that the borough spends excessive money on tree maintenance and that should be enforced through the property maintenance code saving the borough tax payer money. She stated that the borough also has a large issue with trees. In the absence of an ordinance, she does not feel the borough should be removing trees that are on private property or county roads. She stated no quotes were received for the tree work. Ms. Newman believes that the budget is overbudgeted by about 25% each year. She believes we should lower that and save the tax payers funds. Ms. Newman stated there is a big problem with the school formula with Hillsborough. She also would like the Borough to go out to RFP's for various items and to reconsider the costs for the Planning Board secretary since many of the Planning Board meetings are cancelled. Ms. Newman commented on the speed signs and stated in her experience these are easy to install. She also commented on the issue of cars passing school busses which are picking up children. She provided the Borough Council with packets and asked that the questions be answered.

Mayor Heck stated that Ms. Newman is very intelligent and knowledgeable about these issues. Mayor Heck stated that regarding the abandoned properties, the matter of acquiring the homes was discussed by the Borough Council. It was decided that the Borough Council did not want to be involved as the environmental remediation costs for these problems could be cost prohibitive and a liability for the Borough. Mayor Heck and construction officials did visit some of these homes and the borough spent funds to secure the properties. Mayor Heck commented that he tours the community in the evening to try and prevent people from entering the building and causing issues.

Mr. Norman Hewitt, 64 Amwell Rd, asked what the solution is for these abandoned properties. He stated there is a difference between abandoned or uninhabitable homes. In response to a question Mayor Heck stated there are about nine uninhabitable properties. Mr. Hewitt asked if those properties are taxed at the same full value as occupied homes.

Mayor Heck stated he would need to have the construction official, tax collector and tax assessor together to resolve this issue. He commented that this is an issue that does deserve attention. Mr. Norman Hewitt urged all Borough Council members to read the report from Ms. Newman as he believes it shows there is much money that could be saved.

Mr. Hewitt commented that the borough pays for fire coverage, but we should negotiate this figure. Mayor Heck discussed the need for fire prevention and the impact on homeowner's insurance to have these services. Mayor Heck stated the services the borough receives from the fire district is very beneficial to the community.

Mr. Hewitt stated that he believes the borough should consider budget cuts to help residents be better able to afford living in the borough.

Ms. Peg Hewitt commented that there should be a timeline for the Borough Council to respond to these concerns. She stated that she also spoke with the secretary of the BOE Administration offices to try and get some answers.

Chief McDonald stated that the cost of fire services is unfortunately not cheap. He stated that he lives in Hillsborough but does not receive the same level of service that Millstone residents received. Chief McDonald stated that the costs paid by the Borough go to maintain the services and equipment. Chief McDonald stated that the Borough could do an RFP for fire services and that the ISO rating for Millstone is 3, Hillsborough is 5 (lower is better) which helps lower homeowner insurance costs.



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Councilman Stashek stated that he believes response time is critical when it comes to fire safety. His house burned down, and he knows too well how important it is to have a quicker response time. He stated the costs are well worth it to save lives.

Mayor Heck stated he would ask that two, non-fire and EMS affiliated Borough Council members look at this matter. He would also ask that the same two council members look at the police and court agreements also.

Mayor Heck asked Ms. Peg Hewitt to help him deal with the BOE and look at those costs. She agreed and commented that Hillsborough is looking at building new schools and expanding kindergarten to all day which will translate into higher taxes.

Mayor Heck stated he would welcome looking at options for fire services but will not negotiate the safety of residents.

Mayor Heck asked that the CFO, Borough Clerk and Attorney reach out to fire District #1 to try and renegotiate the borough costs.

Roger Prince, 87 Amwell Rd, stated that the meeting should be managed better in terms of allowing people to talk from the floor. Mr. Prince also commented on yard maintenance in the borough and the need to have people maintain their property, such as not driving their cars on their yard. Mayor Heck stated Mr. Prince should have called him to help resolve the issue.

Joan Schuttner, 30 Maple Terrace, asked why the 2018 budget is not posted on the website. She stated there is no way to compare the budget if it is not posted. She also stated that the agendas and minutes are not posted either. How are residents supposed to be informed if they cannot attend meeting?

Mayor Heck stated that he will ensure that the minutes and agendas are updated on the web site. As to other items there have been issues with the website which prevented uploading other documents. But he will work to make sure the items are posted.

Ms. Schuttner asked if the Best Practices worksheet will be posted on the website. Mayor Heck stated it will be posted after this meeting.

Mayor Heck commented he is also working to update the website to make it easier to upload and review documents. He is also working on getting the cable tv station back up and running.

Ms. Schuttner also commented that Mayor Heck refers to items in the borough as "mine" not "ours" as these items belong to the borough. Mayor Heck commented that he is passionate about the borough and does not mean to sound possessive.

Councilman Kidd wished to remind everyone that as a councilman that this is done on a voluntary basis to help keep the taxes down and serve residents. He stated he has been a councilman for almost 10 years and this is the first time anyone has come to the borough hall to help with these matters. Councilman Kidd stated that the Borough Council needs help from residents to make things happen and they rely on residents coming forth and volunteering their time.

Ms. Patricia Morris commented that in this recent election there was only one democrat and one republican to run. She stated that not enough people are willing to volunteer their time to improve the borough. Ms. Morris commented that it can be difficult to find ordinances on the website. She thanked the webmaster for volunteering his time. Mayor Heck stated the codification of ordinances will help alleviate that problem.



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Ms. Morris also commented that the agendas and minutes for the Borough Council meetings are not on the website. Mayor Heck stated that will be done.

Matt Bella, 1342 Main Street, stated he just came to the meeting to register his dog. He handed his license application to the Borough Clerk.

John Gardner, 33 Yorktown Rd, stated he just moved here in June. Asked about the large iron electric transmission towers and if they pay tax to the Borough. Mayor Heck stated the borough does get the energy receipts tax from the borough.

Mr. Hewitt responded that years ago years ago the power company bought out many homes along the path and purchased some of the land for others as a right of way.

Attorney Offen stated that PSEG either has an easement or owns the land fees simple. He stated that many of the easements go back many, many years.

- Motion to Close the Meeting to the Public

Councilman Kidd offered a motion to close the public meeting. Councilwoman Smerdon

Roll Call: Dandy – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes.

Mayor Heck called for a two-minute recess.

APPROVAL OF CLAIMS FOR PAYMENT:

Councilman Kidd offered a motion to approve the claims for payment. Seconded by council President Ross.

Roll Call: Dandy – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes.

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 CURRENT FUND			
4279	R & L Data Centers	Oct Payroll Services; Inv. 95315	\$143.00	8-020	8-20-100-20
4280	Mailbox Business Center	Postcards for Leaf Pick up	\$124.10	8-076	8-20-100-20
4282	NJLM	Registration for League Luncheon	\$65.00	8-074	8-20-101-20



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4281	NJLM	Registration for League of Municipalities Conference	\$55.00	8-074	8-20-101-20
4283	Gannett NJ/Courier News	Publication 9/21/18 Ordinance Advertisement	\$48.76	8-025	8-20-110-20
4284	Somerset County	Election Costs - Primary/General Polling Location	\$120.00	8-062	8-20-120-20
4285	Stephen M. Offen, Esq.	Oct 2018; Inv. 10892251; non-litigation	\$400.00	8-015	8-20-155-20
4285	Stephen M. Offen, Esq.	Oct 2018; Inv. 10892252; Elevation & Relocation	\$200.00	8-015	8-20-155-20
4285	Stephen M. Offen, Esq.	Oct 2018; Inv. 10892250; Affordable Housing litigation	\$50.00	8-015	8-20-155-20
4286	Carter Van Dyke Associates	6/1-8/1/18; Inv 17986 Plan End/Planning Services	\$297.00	8-023	8-21-180-20
4286	Carter Van Dyke Associates	8/2-8/29/18 Inv. 18013 Planning Services	\$537.00	8-023	8-21-180-20
4287	Miller, Porter & Muller	Aug 2018; Inv 13124 Planning Services	\$205.00	8-022	8-21-180-20
4288	Commissioners of Fire Dist No 1	4th Quarter 2018 Fire Services	\$9,479.79	8-053	8-25-255-20
4289	NJ American Water	Oct 2018; Acct 1018-210022797651; Fire Hydrant	\$1,198.24	8-017	8-25-265-20
4290	NJ American Water	Oct 2018; Acct 1018-210022093410; Mun Bldg	\$25.88	8-016	8-26-300-20
4291	A.W. Contracting	Oct Serv; Inv.50226. 50359, 50470, 50511, 50725, 50766	\$400.00	8-012	8-26-300-20
4292	Somerset Cty Treasurer-Recycling	Recycling Services-3rd Quarter Billing	\$989.78	8-047	8-26-305-20
4293	Republic Services	Sept 2018; Inv. 865-001627847	\$2,538.10	8-019	8-26-305-20
4293	Republic Services	Oct 2018; Inv. 865-001639719	\$2,538.10	8-019	8-26-305-20
4294	Twp of Hillsborough	Health Services for 2018	\$18,000.00	8-075	8-27-330-20
4295	PSE&G	Nov 2018; Acct No. 65-081-353-09; Amwell & Main	\$84.89	8-010	8-31-435-20
4296	PSE&G	Nov 2018; Acct No. 66-363-804-03; Amwell Rd	\$82.76	8-011	8-31-435-20
4297	PSE&G	Nov 2018; Acct 13-014-015-01; Master Acct	\$609.80	8-009	8-31-435-20
4298	CenturyLink	November 2018 communication services; Acct #309982488	\$107.30	8-008	8-31-440-20
4299	Somerset Cty Treasurer	2018 Added & Ommitted Assessment - County	\$1,911.19	8-078	Fund Balance
4300	Somerset Cty Treasurer	2018 Added & Ommitted Assessment - Library	\$288.31	8-078	Fund Balance
4301	Somerset Cty Treasurer	2018 Added & Ommitted Assessment - Open Space	\$184.74	8-078	Fund Balance



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4302	Hillsborough Twp Bd of Ed	School Taxes; Invoice #19-00098; Qtr due 11/30/2018	\$243,334.00	8- 067	FUND BALANCE
		2018 CURRENT FUND - NOVEMBER PREPAID			
4277	Verizon	Oct 2018; Inv. 9817212190; 10/26-11/25	\$154.15	8- 013	8-31-440-20
4278	PSE&G	Oct 2018; Acct 13-014-015-01; Master Acct	\$652.36	8- 009	8-31-435-20
Transfer	Millstone Payroll Fund	November Payroll	\$1,000.00		
Transfer	Millstone Payroll Fund	November Payroll	\$2,300.00		
		TOTAL 2018 CURRENT FUND	\$288,124.25		
		NOVEMBER PAYROLL			
		Mun. Clerk, S&W	\$1,050.00		
		Tax Collection, S&W	\$916.67		
		Tax Assessment, S&W	\$583.33		
		Planning Board, S&W	\$458.33		
		Finance, S & W	\$133.33		
		O.A.S.I.	\$194.78	8- 030	
		TOTAL PAYROLL	\$3,336.44		

NEW BUSINESS:

- **RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS IN THE BOROUGH OF MILLSTONE CALENDAR YEAR 2018 BUDGET AMONG CURRENT FUND APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-59**

Councilman Kidd offered a resolution to authorize the transfer of funds. Seconded by Councilman Dandy

Roll Call: Dandy – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes.

WHEREAS, N.J.S.A. 40A: 4-59 authorizes the transfer of funds during the last two months of a fiscal year and during the first three months of the subsequent fiscal year; and

WHEREAS, certain calendar year 2018 appropriations as budgeted are insufficient to meet the needs for which appropriations were originally established while certain other appropriations appear to have surplus appropriations not currently required to pay claims against the Borough of Millstone for which they were budgeted; and

WHEREAS, the following details indicate the accounts to which funds need to be transferred and the accounts from which funds need to be transferred from to insure adequate appropriations exist where needed to pay claims against the Borough.

FROM:

TO:

Financial Administration, S & W
8-20-130-10 \$666.00

Planning Board, S & W
8-21-180-10 \$110.00



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	Municipal Clerk, S & W	
	20-120-10	\$476.00
	Uniform Construction Code, S & W	
	22-195-10	\$80.00
Engineering, OE	Snow Removal, OE	
8-20-165-20	8-26-290-20	\$5,000.00
\$5,000.00		\$5,000.00

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 transfer \$5,666.00 of funds as indicated in the foregoing details from the designated appropriation having apparent surplus balances to the designated appropriation having an apparent insufficient balance to insure that an adequate appropriation balance exist where needed.

- **RESOLUTION AUTHORIZING AN INTERLOCAL SHARED SERVICES AGREEMENT WITH FRANKLIN TOWNSHIP FOR ROUTINE TRAFFIC ENFORCEMENT WITHIN THE BOROUGH OF MILLSTONE.** (see attached agreement)

THIS MATTER HAS BEEN TABLED TO A FUTURE MEETING

~~WHEREAS, it is desirous for the Borough of Millstone to provide routine traffic enforcement services to the community; and~~

~~WHEREAS, the Borough of Millstone and Township of Franklin have a long history of shared services; and~~

~~WHEREAS, the Borough of Millstone and Franklin Township have agreed to enter into an Interlocal agreement for routine traffic enforcement~~

~~WHEREAS, the Chief Financial Officer has certified that such funds are available for this contract.~~

~~NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Millstone that it hereby approves an Interlocal services agreement with Franklin Township for routine traffic enforcement pursuant to the Interlocal Services Act and per the attached contract.~~

- **RESOLUTION AUTHORIZING AN INTERLOCAL SHARED SERVICES AGREEMENT WITH FRANKLIN TOWNSHIP FOR ANIMAL CONTROL SERVICES WITHIN THE BOROUGH OF MILLSTONE.** (see attached agreement)

A resolution to authorize the shared service was offered by Councilman Kidd. Seconded by Councilwoman Smerdon

Roll Call: Dandy– yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes.

WHEREAS, it is desirous for the Borough of Millstone to provide animal control services to the community; and

WHEREAS, the Borough of Millstone and Township of Franklin have a long history of shared services; and

WHEREAS, the Borough of Millstone and Franklin Township have agreed to enter into an Interlocal agreement for animal control services; and



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WHEREAS, the Chief Financial Officer has certified that such funds are available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Millstone that it hereby approves an Interlocal services agreement with Franklin Township for animal control services pursuant to the Interlocal Services Act and per the attached contract.

- **RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SOUTH RIVER STREET AND COLONIAL ROAD RESURFACING PROJECT.**

A resolution to approve the grant submittal was offered by Councilman Kidd. Seconded by Councilman Dandy

Roll Call: Dandy – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes.

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Millstone formally approves the grant application for the stated project.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-2019 MILLSTONE BOROUGH ROADS FOR RES-00176 to the New Jersey Department of Transportation on behalf of the Borough of Millstone.

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

- **DISCUSSION – Crosswalk on: N. River Road near the Millstone Workshop**

Mayor Heck stated that the new owners of the Millstone Workshop would like cross walk near on North River Street to help pedestrians safely cross the street. As the crosswalk would be on a county road, Mayor Heck stated he would call county for assistance.

OLD BUSINESS:

- Sewers – Attorney Offen stated the Van Cleef firm has also followed up with the HTMUA to try and get an answer on the agreement which has been in the hands of the HTMUA attorney for some time.
- FEMA Flood Mitigation Project – Mayor Heck spoke to Karl Kestner who stated the project is currently on hold. Attorney Offen stated we are waiting for the County attorney to respond with two figures and then we can sign the agreement and get the project back on track. Mayor Heck stated he will call the County to get this done.

ADJOURNMENT:

A motion to adjourn the meeting at 9:40 PM was offered by Councilman Kidd. Seconded by Councilwoman Smerdon.

Roll Call: Dandy – yes, Kidd – yes, Smerdon – yes, Stashek – yes, Ross – yes.

Attested to:



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Gregory J. Bonin, Borough Clerk