



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
February 20, 2017

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.

<u>ROLL CALL:</u>	Councilman Derek Dandy	Present
	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:

- December 19, 2016 - Regular meeting minutes

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

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

- January 4, 2017 - Reorganization meeting minutes

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

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

- January 4, 2017 - Regular meeting minutes

Councilman Kidd offered a motion to approve the minutes. Seconded by Councilwoman Smerdon.

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

REPORTS:

- Assessor: No report
- Board of Health: Councilwoman Emmich reviewed the status of the Board of Health reorganization meeting. Ms. Fung is now the 2017 Chair person. Councilwoman Emmich stated the Board is reviewing the ordinances as they relate to the State and Hillsborough health codes.
- Borough Clerk: Clerk Bonin reminded everyone that candidate petitions are due by April 3rd at 4:00 PM.
- Emergency Management/State Police/ Millstone Valley Fire Department: Mayor Heck stated the Borough has received radios for the OEM team. The radios will be programmed in the near future.
- Environmental Commission: No report



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
February 20, 2017

- Finance/Tax Collection: CFO Pollex stated the Tax Collector has issued a report for January and our collection rate is quite low, but we can expect February to be a large month for tax collection. CFO Pollex stated that he is prepared to do a budget report if the Borough Council would like. CFO Pollex's draft budget report was handed out to the Borough Council. The draft budget as presented tonight is \$649,000. This includes grants and capital expenses. The taxable budget is \$550,000 with a tax levy of approximately \$350,000. CFO Pollex reported that each year over the past few years has seen an erosion of the tax base as properties become vacant or reduced in assessment. CFO Pollex stated our surplus has increased slightly. Due to the reduction in assessments and the need to finance the Borough affairs, CFO Pollex recommended the Borough Council raise the budget a tax point at least to reduce the need to rely on the use of surplus each year to balance the budget. A brief discussion ensued as to projects that may take place in town including home elevations, paving work and tree removal. Mayor Heck stated all these projects will have an impact on our budget and should be taken into consideration when the budget is crafted.
- Historic Commission: No report.
- Recreation Commission: No report.

COUNCIL REPORTS:

- Buildings and Grounds:

Councilman Dandy commented that he has a request to move a play structure in the Ann Street Park. Mayor Heck stated he is aware of the request and that he and Councilman Kidd will review the structure and see how best to move the item.

- Planning Board:

Councilman Kidd stated there was no meeting.

- Traffic and Roads:

Councilwoman Emmich asked about the tractor trailer who struck the light at Amwell and Main St. Mayor Heck reported that the individual who drove the truck was also involved in an incident earlier in the day. Repairs to the traffic light were made that day.

MAYOR'S REPORT:

No report

MEETING OPEN TO THE PUBLIC:

- Motion to Open the Meeting to the Public

Councilman Kidd offered a motion to open the meeting to the public. Seconded by Councilwoman Emmich.

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

No public was present.

- Motion to Close the Meeting to the Public

There being no public wishing to be heard, Council President Ross offered a motion to close the meeting to the public. Seconded by Councilwoman Smerdon.



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
February 20, 2017

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

APPROVAL OF CLAIMS FOR PAYMENT:

Councilman Kidd offered a resolution to approve the claims for payment. Seconded by Councilwoman Smerdon.

Roll Call: Dandy – yes, Emmich – 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.

	February 20 ,2017		
			January 15 Payments
CHECK	TO:		2016 CURRENT FUND
3811	R&L Data, Inc.	Invoice No. 89289 12/2016 services	198.61
3812	Raymond Heck; Reimburse	Workplace Discrimination seminar.	\$270.00
3813	Stephen M. Offen, Esq.	Inv. No. 10719857, 12/2016 services.	\$300.00
3814	Somerset County Treasurer	Inv.# 275 Eng. Services thru 12/31/2016	\$114.70
3815	AURA Volunteer Fire Co.	Radios, chargers and batteries	\$2,630.00
3816	Somerset County Treasurer	Inv. No. 714; snow plowing & salting	\$2,973.52
3816	Somerset County Treasurer	Inv. No. 765; snow plowing & salting	\$258.07
3817	Somerset County Treasurer	4th Qtr. Recycling Services	\$989.78
3818	Republic Services	Inv. # 0865-001368597; 12/2016	\$3,075.57
3819	PSE&G	Account No. 65-081-353-09	\$100.71
3820	PSE&G	Account No. 66-363-804-03	\$98.21
3821	Verizon Wireless	12/2016 Services Inv.#9777653886	\$115.43
3822	Century Link	12/2016 Services	\$103.55
3823	Franklin Tp. Police Dept. (12/16)	Inv. Nos. 10311,10312,10313 & 10314	\$3,080.00
			2017 CURRENT FUND
3812	Raymond Heck; Reimbursement	Office Supplies (stamp)	\$19.28



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
February 20, 2017

		January, 2017 Payroll	
		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
		O.A.S.I.	\$249.28
		TOTAL	<u>\$3,507.61</u>
3801	January 2017 Payroll Fund		\$800.00
3810	January 2017 Payroll Fund		\$3,507.61
		February 20 Payments	
		2016 CURRENT FUND	
3833	Carter Van Dyke Assoc., Inc.	Invoice No. 17536&17537; 11/2016	\$4,405.21
3833	Carter Van Dyke Assoc., Inc.	Invoice No, 17558; 12/2016	\$625.37
3834	Miller, Porter & Miller, P.C.	Invoice No. 12550; 11/2016	\$82.00
3834	Miller, Porter & Miller, P.C.	Invoice No. 12554; 12/2016	\$205.00
3826	PSE&G	Master Accounts 12/2016	\$1,431.36
		2017 CURRENT FUND	
3835	R&L Data, Inc.	Inv.#89578, 1/2017 Services	\$335.85
3836	Somerset Cty. Clerks Assn.	2017 Membership - Greg Bonin	\$40.00
3837	Municipal Clerks Assn. of N.J.	2017 Membership - Greg Bonin	\$100.00
3838	N.J. Advance Media	Solid Waste Bid Ad#I0426710801142017	\$229.50
3839	N.J. American Water	1/2017 Service	\$29.78
3840	Stephen M. Offen, Esq.	1/2017 services, non-litigation	\$300.00
3841	Republic Services	1/2017, Invoice # 0865-001383191	\$3,075.57
3842	Somerset County Treasurer	Snow Removal Inv.# 770; 1/5- 7/2017	\$1,909.26
3843	P.S.E.& G.#65-081-353-07	1/2017 Service	\$104.74
3844	P.S.E.& G.#66-363-804-03	1/2017 Service	\$102.16
3845	P.S.E.& G. Master Accounts	1/2017 Service	\$854.71
3827	Verizon Wireless	1/2017 Service, Inv.#9779323944	\$115.38
3846	Century Link	1/2017 Service	\$103.55
3847	Franklin Tp. Police Dept.	1/2017 Service	\$2,940.00
		February 2017 Payroll	
		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
		O.A.S.I.	\$249.28



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
February 20, 2017

		TOTAL	<u>\$3,507.61</u>
3828	February, 2017 Payroll	(Less Interfund of 12/2016 repaid)	\$2,707.61
	Interfund Returned to Current	(see above line item)	<u>\$800.00</u>
	Total Payroll Deposit		\$3,507.61
3829	Somerset County Treasurer	1st Qtr. County Tax	\$42,679.14
3830	Somerset County Treasurer	1st Qtr. County Library Tax	\$6,290.59
3831	Somerset County Treasurer	1st Qtr. County Open Space Tax	<u>\$4,005.97</u>
		TOTAL COUNTY TAX	\$52,975.70
3832	Hillsborough Tp. Bd. Of Ed.	1st Qtr School Tax	226,031.50

NEW BUSINESS:

- **Public Hearing/Adoption of Ordinance 2017-001: AN ORDINANCE TO FIX SALARY RANGES AND OTHER COMPENSATION FOR MUNICIPAL OFFICIALS AND EMPLOYEES IN THE BOROUGH OF MILLSTONE AND REPEALING ALL OTHER ORDINANCES INCONSISTENT HEREWITH**

- Motion to open the public hearing

Councilman Kidd offered a motion to open the public hearing. Seconded by Councilwoman Emmich.

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

- Motion to close the public hearing

Councilman Kidd offered a motion to close the public hearing. Seconded by Councilwoman Smerdon.

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

- Motion to adopt ordinance 2017-001

Council President Ross offered a motion to adopt Ordinance 2017-001. Seconded by Councilman Stashek.

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

BE IT ORDAINED by the Mayor and Council of the Borough of Millstone in the County of Somerset, State of New Jersey, that the following enumerated officials and employees of the Borough of Millstone be paid within the salary range provided;

BE IT FURTHER ORDAINED, that a resolution will be adopted by the Mayor and Council setting forth the salary for respective positions.

<u>Position</u>	<u>Salary Range</u>
Chief Financial Officer	\$11,000 - \$15,000
Borough Clerk	\$11,000 - \$15,000
Tax Collector	\$11,000 - \$15,000
Tax Assessor	\$5,500 - \$8,000
Planning Board Secretary	\$5,500 - \$8,000



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
February 20, 2017

Deputy Borough Clerk	\$5,500 - \$8,000
Deputy Treasurer	\$5,500 - \$8,000
Deputy Tax Assessor	\$1,000 - \$8,000
Deputy Tax Collector	\$1,000 - \$8,000
Registrar of Vital Statistics	\$1,000 - \$8,000
Qualified Purchasing Agent	\$1,000 - \$8,000
Zoning Officer	\$1,000 - \$8,000
Borough Marshall	\$100.00 per call out event
Municipal Court Administrator	\$1,000 - \$8,000
Municipal Court Judge	\$1,000 - \$8,000
Municipal Court Prosecutor	\$1,000 - \$8,000
Municipal Court Public Defender	\$1,000 - \$8,000

All ordinance or parts of ordinances inconsistent with this ordinance be and the same hereby repealed.

This ordinance shall take effect immediately upon its passage and publication as provided by law.

• **RESOLUTION TO APPOINT DENISE PISKOWSKI AS THE QUALIFIED PURCHASING AGENT**

Councilman Kidd offered a resolution to appoint Denise Piskowski as the Qualified Purchasing Agent. Seconded by Councilwoman Smerdon.

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

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Millstone that Denise Piskowski be appointed Qualified Purchasing Agent for the Borough of Millstone effective March 1, 2017 at an annual prorated salary of \$1,600; and

BE IT FURTHER RESOLVED that with the appointment of Denise Piskowski as Qualified Purchasing Agent the bid threshold shall be \$36,000.00 as permitted by law.

• **RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN MILLSTONE BOROUGH AND THE COUNTY OF SOMERSET FOR THE MILLING AND RESURFACING OF ANN STREET**

Councilman Kidd offered a resolution to authorize a shared services agreement. Seconded by Councilwoman Smerdon.

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

WHEREAS, the County of Somerset is desirous to entering into a joint venture with the Borough of Millstone for the milling and resurfacing of Ann Street; and

WHEREAS, the Borough of Millstone owns and maintains Ann Street and it is the responsibility of the Borough to pay the costs for the milling and resurfacing of these roads; and

WHEREAS, it has been determined that the most expeditious way to proceed with the project would be as a shared service agreement, with Somerset County designing, inspecting, advertising for receipt of bids and entering into a contract for construction and the Borough paying their jurisdictional costs for the milling and resurfacing of Ann Street as more specifically set forth in this Agreement; and



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
February 20, 2017

WHEREAS, it is the purpose of this Agreement to set forth the various duties, responsibilities and obligations of the parties thereto; and

WHEREAS, the Uniform Shared Services And Consolidation Act(N.J.S.A. 40A:65-1, et seq.) authorizes and empowers the County and Borough of Millstone to enter into this Agreement for the purposes of having the County provide the services contemplated by this Agreement to the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Millstone in consideration of the mutual and joint obligations set for herein and other valuable considerations, the Borough and County do hereby mutually agree as set forth in the attached agreement

- **RESOLUTION AUTHORIZING THE APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION 2017 STATE AID GRANT PROGRAM FOR VAN DOREN DRIVE RESURFACING.**

Councilman Kidd offered a resolution to approve the submission of a grant application. Seconded by Councilwoman Smerdon.

Roll Call: Dandy – yes, 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 2017 State Aid Grant Program for Van Doren Drive 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.

- **RESOLUTION ENDORSING THE SUBMISSION OF THE RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Councilwoman Smerdon offered a resolution to endorse the submission of the recycling tonnage grant application. Seconded by Councilman Kidd.

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

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

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



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
February 20, 2017

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 2017; 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

• **RESOLUTION APPROVING THE SUBMISSION OF EXPENDITURE FOR TAXES PAID PURSUANT TO P.L.2007**

Councilwoman Smerdon offered a resolution to approve the claims for submission of expenditure for taxes paid. Seconded by Councilman Kidd.

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

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 2017 in the amount of \$850.20. 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.

- Discussion – Two leaf pick-up dates. Clerk Bonin reminded the those present that currently the Borough contracts with Branchburg Township for one leaf pick-up in early December each year at a cost of \$4,500. At the request of the



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
February 20, 2017

Borough Council an inquiry was made to determine the cost for Branchburg to conduct two leaf pick-ups annually in the Borough (one in late October/early November and another in early December) would be \$6,500.

The Borough Council discussed and would like to have two pickups, one during first week in November and the second during the first week in December

- Discussion – Verizon small network node request – Mayor Heck stated he has dealt with this item at the NJSLOM is well versed in the matter. He stated that Verizon is using these nodes as they upgrade to 5G technology. Mayor Heck has review ordinances from other towns and also, we must consider that we are a historic district. Mayor Heck stated that the Borough should consider obtaining outside legal counsel as our borough attorney, Steve Offen, is conflicted as Verizon Wireless is his client. Mayor Heck wants to insure Verizon conforms to our zoning and does not seek to erect a tower or install new poles. The Borough Council decided to further discuss hiring special counsel in executive session.

OLD BUSINESS:

- Sewers – Attorney Offen stated the Borough has submitted the last item that the SRVSA has asked of the Borough. The SRVSA now has all the information originally asked for in their letter to consider allowing the Borough to use SRVSA treatment facilities. A follow up call will be made in early March. It is possible that the SRVSA could make a decision within the next month or two about borough membership in the SRVSA. Attorney Offen reminded the Borough Council that this approval is the last step to getting the borough sewers before the actual decision of installing sewers. Mayor Heck stated that should this approval happen, we would then have to educate and meet with the public to see if the residents in fact want sewers.
- FEMA Flood Mitigation Project – previously discussed.

EXECUTIVE SESSION:

Councilman Kidd offered a resolution to enter executive session at 8:28 PM for the purposes of contract negotiations. Seconded by Councilwoman Smerdon.

Roll Call: Dandy – yes, 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 resolved

ADJOURNMENT:



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
February 20, 2017

Upon returning from executive session, Council President Ross offered a motion to adjourn the regular meeting at 8:49 PM. Seconded by Councilwoman Smerdon.

Roll Call: Dandy – yes, 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