



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
August 23, 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:

<u>ROLL CALL:</u>	Councilman Derek Dandy	Present
	Councilwoman Merry Emmich	Present
	Councilman Alan Kidd	Present
	Councilwoman Denene Smerdon	Present
	Councilman John Stashek	Absent
	Council President Scott Ross	Present - arrived @ 8pm
	Mayor Raymond Heck	Present

MINUTES:

- June 19, 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

- July 17, 2017 Executive meeting minutes

Tabled to September

- July 17, 2017 Regular meeting minutes

Tabled to September

REPORTS:

- Assessor: no report
- Board of Health: no report
- Borough Clerk: no report.
- Emergency Management/State Police/ Millstone Valley Fire Department: Mayor Heck stated they are removing trees around town in the interest of public safety.
- Environmental Commission: Mayor Heck stated he issues only six hunting permits each year to individuals who are reputable and known to the Borough. They provide the proper insurance and display the permit. Only bow hunting permits are issues.
- Finance/Tax Collection: CFO Pollex reported that our insurance application for 2018 is completed if any member of the Borough Council would like to review. CFO Pollex also commented that other insurance JIFs have expressed interest in taking on Millstone Borough as a client. Mayor Heck offered his opinion that the Middlesex County JIF has done the Borough well and he would prefer to remain with them. CFO Pollex also commented that the auditors recommend we



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pass the ordinance that is on the agenda tonight. This was a comment in our recent audit. Lastly CFO Pollex commented that, in regards to the septic study, he has received responses from about 50 of the 80 homes. The consultant will be pursuing the remainder of homes.

- Historic Commission: no report.
- Recreation Commission: no report.

COUNCIL REPORTS:

- Buildings and Grounds: no report
- Planning Board: no report
- Traffic and Roads: Mayor Heck stated work has begun on Beardslee Road. Curbing and new pavement. Ann Street will begin shortly after. Mayor Heck stated that he would like to see North and South River resurfaced next year. Councilman Kidd stated that he heard a rumor about changing the direction of North River Street. Mayor Heck stated this is still being considered and he is discussing it with the residents.

MAYOR'S REPORT:

Mayor Heck stated that work is in progress on Beardslee. Currently work is being done of the granite curbing and driveway aprons.

Tree cutting is in progress in order to preserve the public safety and property. Mayor Heck stated 13 trees have been removed as many trees have reached their lifespan limit and are becoming a hazard. As part of this project the Borough has been repairing some sidewalks damaged by the tree removal.

Councilman Kidd asked when the borough will put the ordinance in place regarding sidewalks. Mayor Heck stated he is fixing the sidewalks and tree issues, then we can consider an ordinance establishing resident jurisdiction over the sidewalks.

Councilwoman Smerdon commented that there are sidewalks on Beardslee Road that could be considered hazardous and should be repaired. Mayor Heck stated he is aware and will work to have those sidewalks repaired.

Mayor Heck stated that the weir at Weston Canal Road has been removed and the water level seems to have dropped 6-8 inches but time will tell what the results will be.

Council President Ross entered the meeting at 8:00 PM

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 Councilman Dandy

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

Christopher Ciurleo stated he is working toward Eagle Scout and would like to replace the handicap ramp at borough hall for his project. Mr. Ciurleo asked if the ramp should be painted and if so what color? Mayor Heck stated that the historic commission would have final say but “barn red” would probably suffice as the color must blend with building



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Mr. Ciurleo asked if it would be possible to store old wood at borough hall. Mayor Heck stated yes and the Borough would remove the old wood.

Mr. Ciurleo stated he would try to do the project during the weekend of September 16-18

After a very brief discussion the Borough Council agreed to the project, wished him well on the project and thanked him for working to improve the Borough Hall.

Mayor Heck stated the borough will provide funding for the materials.

Fred Cortelyou asked why when a right of way was vacated west of his property, the other half was not provided to him. Mayor Heck stated he was unsure of the situation and would ask the borough engineer to research this matter.

Mr. Cortelyou also stated that the property behind his chicken house is overgrown and needs to be maintained. Mayor Heck stated he tried to get that property cleaned up but the property owners prefer a natural boundary.

Mr. Cortelyou also stated that the drain pipe behind his property has two bars on its inlet that trap debris. Mayor Heck stated he will look at the pipe entrance and the bars are placed there to prevent animals and large debris from entering the pipe.

- Motion to Close the Meeting to the Public

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

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

APPROVAL OF CLAIMS FOR PAYMENT:

A resolution to approve the claims for payment was offered by Councilman Kidd. Seconded by Council President Ross.

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

Councilwoman Smerdon asked questions about the bill to the Courier News for publications. CFO Pollex explained that he has had issues with their accounts receivable and this should clear it up.

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.

	23-Aug-17	Aug. 23, 2017 Payments	
		2017 CURRENT FUND	
3964	Treasurer, State of N.J.	Catastrophic Illness Fund	\$10.50



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3965	GFOA of NJ (Annual membership	and Fall Conference)	\$440.00
3966	Gannet NJ Newspapers Courier News	Reissue credited check #3855	\$235.46
3967	Mailbox Business Centers	Septic System Inventory Mailing	\$189.86
3968	Somerset County Clerk	Primary Election Costs	\$152.05
3969	Stephen M. Offen, Esq.	7/2017 non-lit. services, #10770784	\$300.00
3970	Miller, Porter & Miller Invoice #'s	12590, 12591, 12590A & 12732	\$1,517.00
3971	N.J. American Water	Fire Hydrant Service; 7/2017	\$1,133.44
3972	A&W Contracting	Inv.#44184,44312,44439 ?& 44587	\$155.00
3972	A&W Contracting	Inv. #44237 Emergency Debris C/up	\$65.00
3973	Countryside Landscaping and Tree	Emergency Tree removal & C/up	\$3,150.00
3974	Republic Services	Inv.# 0865-001445371;6/2017	\$2,465.00
3974	Republic Services	Inv.# 0865-001457701;7/2017	\$2,465.00
3975	P.S.E.& G.#65-081-353-07	7/2017 Service	\$120.29
3976	P.S.E.& G.#66-363-804-03	7/2017 Service	\$116.79
3977	P.S.E.& G. Master Account	6/2017 Service	\$546.19
3977	P.S.E.& G. Master Account	7/2017 Service	\$546.76
3978	Century Link	7/2017 Service	\$105.20
3979	Franklin Tp. Police Dept.	7/2017 Service #'s11253,254 & 255	\$2,660.00
		PRE-PAID BILLS	
3960	3961 & 3962 Somerset Cty. Treas.	3rd Qtr. County Taxes Due	\$51,864.16
3963	Verizon Wireless	7/2017 Service, Inv.#9789910685	\$181.02
	Hillsboro Tp. Bd of Education	3rd Qtr. School Taxes Due	
		June 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
		Finance, S&W	\$133.33
		O.A.S.I.	\$259.47
		TOTAL	\$3,651.13
	Interfunds due Current & Unemp.Tr.	\$496.06 & \$164.87 = \$633.93	-\$633.93
3959	Millstone Payroll Fund	August Payroll Fund	\$3,017.20
	Payroll Fund to Current Fund	Interfund as per Audit	\$469.06
3980	Payroll Fund to Unemp. Trust	Interfund as per Audit	\$164.87
		OTHER TRUST FUND	
1101	Miller, Porter & Muller, P.C.	# 12695 LaValva (\$51.25) & #12733	\$98.75
		HRC (\$47.50)	

NEW BUSINESS:



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- **INTRODUCTION OF ORDINANCE 2017-003 OF THE BOROUGH OF MILLSTONE AUTHORIZING THIRD-PARTY PAYROLL DISBURSEMENT and setting the public hearing for September 27, 2017**

Councilman Kidd offered a resolution to approve the ordinance and set the public hearing date. Seconded by Council President Ross.

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

WHEREAS, the Local Finance Board of the State of New Jersey has adopted rules regarding “Electronic Disbursement Controls for Payroll Purposes” in order to provide formal authority for local governments to hire third-party payroll services and disbursing services to disburse funds to payroll agencies; and

WHEREAS, in order to have a payroll servicer provide disbursement services, the Borough Council must formally approve the principle of a third-party having access to Borough funds, formally assigning responsibility to an official to oversee the process by enacting an ordinance, and approving all contracts or extensions.

NOW, THEREFORE, IT IS ORDAINED by the Mayor and Council of the BOROUGH of MILLSTONE in the COUNTY OF SOMERSET, New Jersey, that:

SECTION 1. The Revised General Ordinances of the Borough of Millstone are hereby amended and supplemented to include the following section, entitled “Third-Party Payroll Disbursement”:

A. Purpose; Definitions.

- i. The purpose and intent of these regulations is to abide by the requirements of N.J.S.A. 52:27D-20.1 and N.J.A.C. 5:30-17.1 et seq., governing electronic disbursement controls for payroll purposes.
- ii. Definitions. As used in this chapter the following terms shall have the meanings indicated:
 - Approval Officer – person responsible for authorizing and supervising the activities of the payroll service.
 - Payroll Service – Third-party payroll service organization.
 - Borough – Borough of Millstone in the County of Somerset, New Jersey.

B. Authorization.

- i. The Borough is authorized to use a payroll service to prepare payment documentation, take possession of Borough funds and make such disbursements itself on behalf of the Borough.
- ii. The following payroll service providers shall be required to comply with these regulations:
 - a. Payroll service providers who use their own customized programming process to execute disbursements for the Borough.
 - b. Payroll service providers who use a third-party processor to execute disbursements for the Borough.

C. Borough Requirements.

- i. The appointment of a payroll service shall be pursuant to the Local Public Contracts Law, and shall require the contractor to do the following, not by way of limitation: data collection, agency report preparation, calculation of withholding, direct deposit of payroll disbursements and/or local unit transfer of funds to contractor’s account for subsequent disbursement of payment.



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- ii. Any renewal or extension of a contract under these regulations shall be by resolution of the Borough Council.
 - iii. The Chief Financial Officer is hereby appointed the approval officer and is responsible for authorizing and supervising the activities of the payroll service and shall further be charged with the reconciliation and analysis of all accounts affected by the activities of the disbursing organization.
 - iv. If required by the contract between the Borough and the payroll service, the payroll service is permitted to hold Borough funds pending transmittal to a payee.

D. Payroll Service Requirements.

- i. A payroll service must meet all of the following requirements:
 - a. Report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty or gross incompetence on the part of the approval officer;
 - b. Report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the services provided to the Borough.
- ii. A payroll service must meet the requirements of N.J.A.C. 5:30-17.5.
- iii. All contracts entered into pursuant to these regulations and the laws authorizing same shall comply with the requirements of N.J.A.C. 5:30-17.6.

E. Establishment of Service.

Upon the adoption of these regulations, the Chief Financial Officer with the assistance of the Borough Attorney, as necessary, is hereby authorized and directed to enter into a contract for payroll service in accordance with all Local Public Contracting Laws and N.J.A.C. 5:30-17. Appointment of the payroll service shall be by separate resolution of the Borough Council.

SECTION 2. The provisions of this Ordinance shall be severable. If any section or provision shall be held invalid by any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, which shall remain in full force and effect.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 4. This Ordinance shall take effect after final passage and publication in accordance with applicable law.

• RESOLUTION ESTABLISHING DESIGNATED TOWING COMPANY FOR THE BOROUGH

Councilman Kidd offered a resolution to designate a towing company for the Borough. Seconded by Council President Ross.

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

WHEREAS, Millstone Borough has an obligation to enforce local traffic ordinances, and

WHEREAS, some ordinances may include the need to tow vehicles from public streets and areas, and



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WHEREAS, Millstone Borough does have a need to enter into an agreement with a towing company that provides these services, and

WHEREAS, Stewarts Towing, 27 Reading Road, Belle Mead, NJ has agreed to provide these services to the Borough,

WHEREAS, Stewarts Towing has all the required documentation, insurance and registration to legally operate this type of service for the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that an agreement is approved with Stewarts Towing for a term not to exceed beyond February 1, 2018 for the purposes of providing towing and impound services for violations of local ordinances.

- **RESOLUTION SUPPORTING ACCEPTING THE NJDOT COMPLETE STREETS POLICIES FOR THE BOROUGH OF MILLSTONE**

Councilman Kidd offered a resolution to adopt the NJDOT complete street policies for the Borough. Seconded by Council President Ross.

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

WHEREAS, Complete Streets is a program that investigates, creates programs and assists communities with the implementation of trails, bikeways and other such activities, and

WHEREAS, Millstone Borough has been observed by the Complete Streets program as a potential partner in such a program, and

WHEREAS, Millstone Borough has a desire to investigate such a request to see if it is beneficial to its stakeholders.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey of our intent to establish a committee of three members, appointed by the Mayor, for the sole purpose of investigating this program and its benefits to our community.

- **RESOLUTION ESTABLISHING AN INCREASED BID AND QUOTE THRESHOLD**

Councilman Kidd offered resolution to increase the bid and quote thresholds. Seconded by Councilwoman Smerdon.

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

WHEREAS, per the local Public Contracts law, NJSA 40A:11-3, the State Treasurer has increased the minimum bid threshold from \$36,000.00 to \$40,000.00 effective July 1, 2015 for entities whose purchasing agents possess a Qualified Purchasing Agent (QPA) certificate; and

WHEREAS, Denise Piskowski was appointed Qualified Purchasing Agent effective March 1, 2017;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council that it hereby increases the bid threshold to \$40,000.00; and

BE IT FURTHER RESOLVED that the new quote threshold is hereby increased to \$6,000.00.

OLD BUSINESS:



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- Sewers – Mayor Heck commented that the Borough as received notification from Van Cleef that they wish to meet. Mayor Heck Attorney Offen and Council President Ross will meet with them to discuss outstanding issues. Not much further movement since last update.
- FEMA Flood Mitigation Project – Mayor Heck stated most of the homes are elevated. He will be contacting Paul Miller to start another application and funding round. Attorney Offen stated Mr. Kestner has an attorney and has shared the information with the attorney. The hope is this project will move forward soon now that a competent attorney is working for Mr. Kestner.
- Verizon tax appeal – Attorney Offen reported that once again there is one tax appeal in the borough, Verizon, which will be resolved in the not too distant future.

ADJOURNMENT:

A motion to adjourn the meeting at 8:35 PM was offered by Councilman Kidd. Seconded by Council President Ross.

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

Attested to:

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

Gregory J. Bonin, Borough Clerk