



Millstone Borough
BOROUGH COUNCIL REORGANIZATION
AND REGULAR MEETING MINUTES
January 3, 2019

REORGANIZATION MEETING MINUTES
January 3, 2019

TIME: 7:30 PM

CALL TO ORDER – OPENING STATEMENT: Borough Clerk Gregory Bonin called the meeting to order with the reading of the following statement: The Reorganizational 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: Borough Clerk Bonin led those present on the flag salute.

<u>ROLL CALL:</u> Councilman Derek Dandy	Present
Councilman Alan Kidd	Present
Councilman Scott Ross	Present
Councilwoman Denene Smerdon	Present
Councilman-elect Jonathan Stashek	Present – arrived late
Mayor-elect Raymond Heck	Present

APPOINTMENT TO BOROUGH COUNCIL MEMBER TO FILL THE VACANCY OF MARY EMMICH

The Republican Party has submitted the following names to the Borough Council:

- o Vincent Biviano
- o Clint Bowers
- o Kristen Ross

Councilman Kidd offered a motion to appoint Vincent Biviano as Council member. Seconded by Councilwoman Smerdon.

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

Borough Clerk Bonin issued the oath of office to Councilman Biviano.

SWEARING IN OF NEWLY (RE)ELECTED BOROUGH COUNCIL MEMBERS:

- Mayor Raymond Heck was issued the oath of office by Attorney Offen
- Councilman Stashek – Absent at this time.

ELECTION AND SWEARING IN OF COUNCIL PRESIDENT:

Councilwoman Smerdon offered a motion to appoint Councilman Ross as Council President. Seconded by Councilman Kidd.



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Roll Call: Biviano – yes, Dandy – yes, Kidd- yes, Smerdon – yes, Ross - yes

Mayor Heck issued the oath of office to Council President Ross.

MAYORAL APPOINTMENT OF BOROUGH ATTORNEY:

Councilman Kidd offered a resolution to appoint the borough attorney. Seconded by Councilwoman Smerdon.

Roll Call: Biviano – yes, Dandy – yes, Kidd- yes, Smerdon – yes, Ross - yes

WHEREAS, the Borough Council of the Borough of Millstone has a need to contract for the services of General Legal Services; and

WHEREAS, the Borough Council is permitted to acquire such services through a “non-fair and open” process (as defined by NJSA 19:44A-20.4) meaning the award is made by the Borough Council in its judgment of which provider will best serve the interests of the citizens of Millstone Borough, and not by a “fair and Open” process (as defined by NJSA 19:44A-20.7) such as awarding to the lowest bidder; and

WHEREAS, the cost of this contract is not anticipated to exceed \$17,500; and

WHEREAS, Stephen Offen has submitted a proposal; and

WHEREAS, Stephen Offen has completed and submitted a Business Entity Disclosure Certification; and

WHEREAS, the Chief Financial Officer has certified funds are available in the 2019 budget for this contract;

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone authorizes a contract with Stephen Offen pursuant to their proposal; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this Resolution.

- Swearing in of Borough Attorney

Mayor Heck issued the oath of office to Attorney Offen.

MAYORAL APPOINTMENT OF BOROUGH ENGINEER:



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Councilman Kidd offered a resolution to appoint the borough engineer. Seconded by Councilwoman Smerdon.

Roll Call: Biviano – yes, Dandy – yes, Kidd - yes, Smerdon – yes, Ross - yes

WHEREAS, the Borough Council of the Borough of Millstone has a need to contract for the services of Engineering Services; and

WHEREAS, the Local Public Contracts Law and Uniform Shared Services Act authorizes and empowers the County and Municipality to enter into an agreement for such services; and

WHEREAS, the Borough Council has determined it is in the best interest of the Borough to enter into a shared services agreement with the County of Somerset for Engineering Services; and

WHEREAS, the Chief Financial Officer has certified funds are available in the 2019 budget for this contract;

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone appoints the County of Somerset, specifically Somerset County Engineer Matt Loper, as the Borough Engineer.

MAYORAL APPOINTMENT OF BOROUGH AUDITOR:

Stashek enter meeting at this time. Mayor Heck issued the oath of office to Councilman Stashek

Councilman Kidd offered a resolution to appoint the borough auditor. Seconded by council President Ross.

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

WHEREAS, the Borough Council of the Borough of Millstone has a need to contract for the services of Borough Auditor; and

WHEREAS, the Borough Council is permitted to acquire such services through a “non-fair and open” process (as defined by NJSA 19:44A-20.4) meaning the award is made by the Borough Council in its judgment of which provider will best serve the interests of the citizens of Millstone Borough, and not by a “fair and Open” process (as defined by NJSA 19:44A-20.7) such as awarding to the lowest bidder; and

WHEREAS, the cost of this contract is not anticipated to exceed \$17,500; and

WHEREAS, Suplee Clooney Company has submitted a proposal; and

WHEREAS, Suplee Clooney Company has completed and submitted a Business Entity Disclosure Certification; and



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WHEREAS, the Chief Financial Officer has certified funds are available in the 2019 budget for this contract;

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone authorizes a contract with Suplee Clooney Company pursuant to their proposal; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this Resolution.

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A TEMPORARY BUDGET FOR THE YEAR 2019

Councilman Kidd offered a resolution to establish the 2019 temporary budget. Seconded by Councilwoman Smerdon.

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

WHEREAS, N.J.S.A 40A: 4-19 requires that the governing body of a municipality shall adopt a temporary budget by Resolution within the first 30 days of the beginning of the fiscal year if any contract, commitment of funds or payments are to be made between the beginning of the fiscal year and the adoption of the fiscal year budget; and

WHEREAS, the Borough of Millstone anticipates that it will contract, commit funds or make payments of funds between the beginning of the fiscal year on January 1, 2019 and the adoption of the year 2019 budget; and

WHEREAS, the date of this Resolution and its adoption is within the first 30 days of the beginning of the fiscal year; and

WHEREAS, 26.25% of the total appropriations in the 2019 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance in said budget is the sum of **\$151,051.00**

NOW, THEREFORE, IT IS RESOLVED by the Mayor and Council of the Borough of Millstone, County of Somerset, New Jersey, that the following temporary appropriations on the annexed spread sheets are established for the 2019 budget and that a copy of this Resolution is transmitted to the C.F.O. for their records.

ACCOUNT	OE	S/W
Administrative&Executive	\$2,000.00	
20-100-20, OE		



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Employee Development		
20-101-20, OE	\$3,000.00	
Mayor and Council	\$4,000.00	
20-110-20, OE		
Municipal Clerk/Elections	\$250.00	
20-120-20 , OE		
20-120-10, S&W		\$5,250.00
Financial Administration	\$350.00	
20-130-20, OE		
20-130-10, S &W		\$4,500.00
Tax Collection	\$350.00	
20-145-20, OE		
20-145-10, S &W		\$4,500.00
Tax Assessment	\$350.00	
20-150-20, OE		
20-150-10, S & W		\$3,000.00
Legal Services	\$8,000.00	
20-155-20, OE		
Engineering Services		
20-165-20, OE	\$18,000.00	
Planning Board	-	
21-180-20, OE	\$7,000.00	
21-180-10, S & W		\$2,300.00
Uniform Construction Code		
22-195-20, OE	\$100.00	
22-195-10, S & W		\$2,300.00
Insurances:		
Comercial Liability		
23-220-20, OE	\$5,000.00	
PUBLIC SAFETY		



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Fire (Hydrants/Water)	\$6,000.00	
25-265-20, OE		
Fire District Contract	\$10,000.00	
25-255-20, OE		
Emergency Management		
25-252-20, OE	\$500.00	
Municipal Prosecutor	\$100.00	
25-275-20, OE		
STREETS AND ROADS		
Road Repair and Maint.		
26-290-20, OE	\$6,000.00	
Snow Removal		
26-290-20, OE	\$13,000.00	
Buildings and Grounds		
26-300-20, OE	\$4,000.00	
26-300-10, S & W		\$1,000.00
SANITATION		
26-305-20, OE	\$11,000.00	
HEALTH AND WELFARE		
Environmental Commission		
27-135-20, OE	\$200.00	
Dog/Cat Regulations		
27-340-20, OE	\$500.00	
RECREATION & EDUCATION		
Parks and Playgrounds		
28-370-20, OE	\$300.00	
Historic Commission	-	



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28-370-20, OE	\$300.00	
UTILITY EXPENSES		
Street Lighting/Electricity		
31-435-20, O.E.	\$5,000.00	
TELEPHONE		
31-440-20, O.E.	\$1,500.00	
CONTINGENT		
35-470-20, OE	\$250.00	
SOCIAL SECURITY (OASI)	\$3,500.00	
36-472-2, OE		
P.E.R.S		
36-475-20, OE	\$5,350.00	
FRANKLIN TWP POLICE		
42-240-20	\$12,000.00	
PUBLIC DEFENDER		
43-495-2, OE	\$300.00	
SUB-TOTAL	\$128,200.00	\$22,850.00
TOTAL TEMPORARY BUDGET	\$151,050.00	

BOROUGH COUNCIL COMMITTEE APPOINTMENTS AND MOTION TO APPROVE:

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

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

Buildings and Grounds

1. Derek Dandy

Budget, Finance and Fiscal Planning

1. Scott Ross

Street and Traffic



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-
1. Alan Kidd

Police, 911 Coordinator, Fire Services Liaison

1. Raymond Heck

Council Member of Planning Board

1. Vincent Biviano

Historic District Commission Member

1. Denene Smerdon

Recycling Coordinator: responsible for clean up day, Leaf pick up and recycling reports

1. Denene Smerdon

Affordable Housing Liaison

1. Vincent Biviano

Board of Health Liaison

1. Jonathan Stashek

APPOINTMENTS TO COUNTY RESPONSIBILITIES (One Year Terms):

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

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

Somerset County Development Committee

1. (Mayoral Appointment) Raymond Heck
 2. (Borough Council Appointment) Vacant
- Alternate. (Mayoral Appointment with consent of Borough Council) Vacant

Somerset County Advisory Committees:

Cultural and Heritage

1. (Mayoral Appointment) Patricia Morris

Solid Waste

1. (Mayoral Appointment) Raymond Heck
2. (Mayoral Appointment)

APPOINTMENTS TO BOARDS, COMMISSION AND STAFF POSITIONS

Councilman Kidd offered a motion to confirm the following appointments. Seconded by Councilwoman Smerdon.

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



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Appointments to be supplied by Mayor Heck

Mayor Heck issued the oath of office to Zachary Huber for his position on the Planning Board.

CONSENT AGENDA ITEMS A THROUGH L

Councilman Kidd offered a resolution to approve consent items A through L. Seconded by Council President Ross.

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

A – Resolution to set the date for the 2019 Budget Work session

WHEREAS, the Borough Council holds regular monthly meets for the purposes of discussing the business of the borough; and

WHEREAS, an important business function of the Borough Council is to establish the annual borough budget; and

WHEREAS, the Borough Council is desirous to include input from the residents of the Borough in the formation of the annual budget; and

WHEREAS, to affect this public input the Borough Council wishes to announce in advance the date it will be discussing the Borough's budget,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Millstone that it hereby announces that the annual budget will be discussed during their regular meeting of the Borough Council on February 18, 2019 at 7:30 PM in the Millstone Borough Hall.

B – Resolution to adopt the 2019 Borough Council meeting schedule

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that the following is hereby established as a schedule of regular public meetings of the Borough Council for the year 2019, all meetings starting at 7:30 PM in the Millstone Borough Hall, 1353 Main Street, Millstone, New Jersey:

January	21		
February	18	August	19
March	18	September	16
April	15	October	21
May	20	November	18
June	178	December	16
July	15	January 6, 2020 (Reorganization and January Regular Meeting)	

C - Resolution to name official Borough Depositories



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WHEREAS, it is necessary for the Borough Council of the Borough of Millstone to designate the financial institution to act as depository for the municipal funds for the year 2019.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that TD Bank and First Bank be and hereby is designated as the official depositories for Borough funds the for Borough of Millstone, Somerset County, State of New Jersey for the year 2019.

D - Resolution to name official Borough Newspapers

WHEREAS, official newspapers must be designated for purposed adherence to the Open Public Meetings Act and for other official public communication purposes; and

WHEREAS, the Hillsborough Beacon has been deemed to be the most local weekly newspaper; and

WHEREAS, the Courier News has been determined to be the most appropriate daily area newspaper.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that the Hillsborough Beacon and Courier News are hereby designated as the official Borough newspapers for the Borough of Millstone, County of Somerset, State of New Jersey for the year 2019.

E - Resolution stating required signatures for Borough Checks

WHEREAS, it is necessary to utilize checks for the purposes of paying Borough debts and financial obligations; and

WHEREAS, signatures of Government Officials are required to validate the checks of the Borough; and

NOW, THEREFORE, IT IS RESOLVED by the Borough Council of the Borough of Millstone in the County of Somerset, New Jersey that the operating account of the Borough of Millstone requires the signature of two (2) out of five (5) being the Mayor, Council President, Municipal Clerk, Deputy Treasurer or Chief Financial Officer.

BE IT FURTHER RESOLVED that all other checking accounts of the Borough require only one signature for the four previously named positions.

F - Resolution renewing Borough petty cash account

WHEREAS, NJS A 40A:5-21 authorizes the Borough Council of the Borough of Millstone to establish a petty cash fund for the Borough Clerk's Office in the amount of \$100.00 for the year upon approval of the Director of Local Government Services; and



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WHEREAS, this fund was established in 1994 with the approval of the Director of Local Government Services; and

WHEREAS, it is necessary for the Borough Council to renew this fund annually.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey hereby renews the existing Petty Cash Fund in accordance with the laws and regulations governing local governments for the year 2019.

BE IT FURTHER RESOLVED that the fund used by such department or office to pay claims for small miscellaneous expenses not to exceed \$25.00 at any one occurrence.

G - Resolution authorizing the investment of Borough Funds

WHEREAS, it is important for the health of the Borough of Millstone to have surplus revenue invested; and

WHEREAS, the Chief Financial Officer of the Borough of Millstone is the appropriate official to select and initial such investments.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that it hereby authorizes the Chief Financial Officer of the Borough to invest surplus funds of the Borough of Millstone in such investments as are legally authorized by the statutes and codes of the State of New Jersey.

H - Resolution authorizing the correction of errors and the defense of Tax Appeals for 2019

WHEREAS, from time to time there exists a need to correct errors in property assessments or to defend tax appeals brought against the Borough; and

WHEREAS, the Borough's Tax Assessor is the appropriate official to correct such errors and defend such appeals.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that it hereby authorizes the Borough Tax Assessor to correct errors in property tax assessment and to defend Borough tax appeals for the year 2019.

I - Resolution regarding tax collection policies

WHEREAS, N.J.S.A. 54:4-67 implies that affirmative action is required on the part of the governing body in fixing the rate of interest on delinquent taxes and grace period; and

WHEREAS, taxes are due and payable on the following dates: February 1, May 1, August 1, and November 1; and



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WHEREAS, N.J.S.A. 40:5-19 allows a municipality the authority to impose a service charge not to exceed \$20.00 to be added on an account where payment by check or other written instrument was returned for insufficient funds;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Millstone that a 10 day grace period be afforded after which date unpaid taxes will be charged interest from the due date;

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Millstone that the interest rate on delinquent taxes shall be eight (8%) percent per annum of the first \$1,500.00 and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 for the year 2019, and no interest shall be charged if payment of any installment is made within the tenth (10th) calendar day following the day upon which same became payable; and

BE IT FURTHER RESOLVED in accordance with N.J.S.A. 54:4-67 that the governing body may also fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year and that such penalty shall not exceed six (6%) percent of the amount of the delinquency; and

BE IT FURTHER RESOLVED in any case where the taxes are not paid during the respective extended periods, the full interest rate from the due date shall apply; and

BE IT FURTHER RESOLVED that the governing body of the Borough of Millstone, County of Somerset, State of New Jersey hereby authorizes the Tax Collector to charge a service charge fee of \$20.00 per check or other written instrument for all checks returned for insufficient funds during the current fiscal year; and

BE IT FURTHER RESOLVED that the Tax Collector may require future payments to be tendered in certified check, cashier's check, or cash.

J - Resolution authoring the tax collector to refund and cancel taxes less than \$10.00

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax overpayments or delinquent amounts of less than \$10.00; and

WHEREAS, the governing body of a municipality may authorize a municipal employee to process without further action on their part, any cancellation of property tax overpayments or delinquencies of less than \$10.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Millstone that the Borough of Millstone Tax Collector is hereby authorized to cancel said amounts as deemed necessary and as permitted by applicable law.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Tax Collector, Chief Financial Officer, and the Municipal Auditor.



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K - Resolution authorizing the adoption of a cash management plan for the Borough of Millstone for 2019

WHEREAS, Chapter 148 of the Public Laws of 1997 requires the Governing Body to adopt an annual Cash Management Plan; and

WHEREAS, the following banks are authorized depositories for Municipal Funds consistent with the Governmental Unit Depository Protection Act and may be used by the Chief Financial Officer for the deposit of Borough funds:

TD Bank
First Bank;
and

WHEREAS, the Chief Financial Officer is directed to use this cash management plan as a guide in depositing and investing the funds of the Borough of Millstone, and

WHEREAS, the following investments are permitted for use by the Chief Financial Officer:

1. Interest bearing bank accounts and certificates of deposit in authorized banks for deposit of local unit funds;
 2. Government money market mutual funds that comply with N.J.S.A. 40A:5-15.1 (e);
 3. Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors;
 4. Bonds or other obligations of the local unit or school district of which the local unit is a part;
 5. Any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments of the Department of the Treasury for investment by local units;
 6. Local government investment pools which comply with N.J.S.A. 40A:5-15.1(e) and conditions set by the Division of Local Government Services;
 7. New Jersey State Cash Management Fund;
 8. Repurchase agreements of fully collateralized securities, which comply with N.J.S.A. 40A:5-15 (a);
- and

WHEREAS, the priority of investment policies shall be, in order of descending importance: security, liquidity and yield with funds managed to meet the Borough of Millstone's cash flow needs.

NOW, THEREFORE, IT IS RESOLVED by the Council of the Borough of Millstone, Somerset County, New Jersey that the foregoing shall serve as the cash management plan of the Borough of Millstone for the year 2019.



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L - Resolution establishing the Rules of Conduct for 2019

WHEREAS, the Borough of Millstone desires to follow certain Rules of Conduct by which it will operate.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey hereby adopts the following Rules of Conduct for the Year 2019:

1. The Borough Clerk shall advise Council Members of Special Meetings.
2. Quorum for meetings: Three Council members and Mayor or in the absence of the Mayor, four Council Members.
3. The Council Members, if unable to attend a meeting, are to call the Borough Clerk in advance of 6:00 PM on the night of the meeting so that the Clerk may have adequate time to cancel meetings for lack of a quorum.
4. The Tax Collector shall be authorized to hold \$25.00 cash change fund.
5. All meetings of all boards, committee, work meetings, regular meeting, etc., are open to the public, except meetings allowed to be held in Executive Session by law.
6. Vouchers are to be submitted to the Chief Financial Officer by the Wednesday prior to the Council Meeting.
7. Expense vouchers must have receipts attached covering expenses.
8. Items to be placed on the agenda must be submitted to the Borough Clerk at least eight (8) days prior to Council Meetings.
9. The Chief Financial Officer must attend all meetings to present the monthly bills and remain at the meeting until all items on the agenda, which may pertain to that office, are conducted.
10. The Chief Financial Officer, Tax Collector, Emergency Manager and Assessor must submit monthly reports. The Zoning Officer must submit quarterly reports. The Zoning Officer, Engineer, Tax Collector and Tax Assessor are not required to attend Council meetings. If officers are unable to attend a meeting, they must notify the Borough Clerk stating the reason why and see that their reports are submitted to the Borough Clerk prior to the meeting.
11. The Borough Clerk will mail, email or deliver meeting agenda and pertinent meeting documentation to all Council members at least three days before each meeting of the Borough Council.
12. All Officers must supply enough copies of their reports to be passed out to all Council Members and the Borough Clerk at each Council meeting.
13. Meetings shall be conducted based upon rules of order as outlined in "Roberts Rules of Order".

2019 MAYORAL APPOINTMENTS: CONSENT AGENDA ITEMS M THROUGH Q

Councilman Kidd offered a motion to approve consent items M through Q. Seconded by Councilwoman Smerdon.

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

M - Resolution appointing Borough Tax Search Officer



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WHEREAS, it is necessary for the Borough Council of the Borough of Millstone to appoint a Tax Search and Radial Search Officer for the year 2019.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that Borough Tax Collector Rebecca Newman be and hereby is appointed as Tax Search and Radial Search officer for the year 2019.

N - Resolution appointing Borough Assessment Search Officer

WHEREAS, it is necessary for the Borough of Millstone to appoint and Assessment Search Officer for the year 2019; and

WHEREAS, Gregory J. Bonin serves as the Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that Gregory J. Bonin be and hereby is appointed to a one year term as Assessment Search Officer for the Borough of Millstone commencing January 1, 2019.

O - Resolution appointing and individual responsible for Borough Tax Maps

WHEREAS, Somerset County, specifically Somerset County Engineer Matt Loper has been appointed Borough Engineer for the term of one year commencing January 1, 2019; and

WHEREAS, it is the desire of the Borough Council that the Borough Engineer also be the Borough Official responsible for Borough Tax maps.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that Paul McCall be and hereby is appointed the official responsible for the Tax Maps for the Borough of Millstone for a one year term beginning January 1, 2019.

P - Resolution appointing Somerset County Solid Waste Management as the 2019 Certified Recycling Professional for Millstone Borough and naming them as the responsible agent for signing the annual municipal recycling tonnage report for the period January 1, 2018 through December 31, 2018.

WHEREAS, the Borough of Millstone is required to have a Certified recycling Professional for the purposes of completing certain requirements of the State of New Jersey; and

WHEREAS, Somerset County has offered said service to the Borough; and

WHEREAS, the Borough of Millstone desires to enter into a shared service with the County of Somerset for this the purposes of a Certified Recycling Professional.

NOW, THEREFORE, BE IT RESOLVED that that Borough of Millstone appoints the County of Somerset as our Certified Recycling Professional and authorizes them to be the responsible agent for signing the annual municipal recycling tonnage report.



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Q – Resolution to appoint Borough representatives to the Joint Insurance Fund.

BE IT RESOLVED by the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that Raymond Heck is hereby designated as the Commissioner and Laura Popick is designated as the Alternate Commissioner in the Middlesex County Municipal Joint Insurance Fund for 2019.

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: Biviano – yes, Dandy – yes, Kidd- yes, Smerdon – yes, Stashek – yes, Ross - yes

Rebecca Newman, asked for follow up on the fire services discussion and also did we determine why the court budget is being charged 13000 when the court agreement is only \$3,000. She also asked if the Borough issued RFPs for some of the items she suggested

Mayor Heck stated he has excused himself from the fire services discussion since he is involved with the fire company. He has asked that Council President Ross lead the review on this matter. Mayor Heck suggested to Council President Ross that he put together a “blue ribbon” committee of the public to review the matter. The mayor is also establishing “blue ribbon” committees to review and report on the other suggested items Ms. Newman suggested. Three public members will be appointed to each committee and report back to borough council.

Mayor Heck reminded everyone that the court agreement must coincide with the police agreement (be with the same town). Mayor Heck will establish a public committee to review this arrangement also.

Borough Clerk Bonin detailed the current court costs per the current agreement.

Patricia Morris thanked the Borough Council for working to install reflectors on the curb. She requests three more reflectors beyond the curve to extend the visibility. Ms. Morris thanked the Borough Council for attending to this matter.

Joan Shuttner, asked who should she notify if there is a dead deer on the road. Mayor Heck said if it is on a county road residents should call county DPW.

Joan Shuttner thanked the mayor for installing the new school bus signs and for caring about the safety of the children. Mayor Heck stated he has asked the Franklin police to also be more present at bus stops. He too patrols when he is in town.

Mayor Heck discussed safety efforts for enforcement of traffic laws including school busses, cell phones, etc. In 2019 the Borough will be looking at approving a complete streets resolution for pedestrian, bicycle and traffic safety.



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-
- Motion to Close the Meeting to the Public

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

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

ADJOURNMENT of REORGANIZATION MEETING:

Councilman Kidd offered a motion to adjourn the reorganization meeting at 8:10 PM. Seconded by Councilwoman Smerdon.

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

Attested to:

Gregory J. Bonin, Borough Clerk



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REGULAR MEETING AGENDA

January 3, 2019

TIME: 8:11 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 Vincent Biviano	Present
	Councilman Derek Dandy	Present
	Councilman Alan Kidd	Present
	Councilwoman Denene Smerdon	Present
	Councilman Jonathan Stashek	Present
	Council President Scott Ross	Present
	Mayor Raymond Heck	Present

MINUTES:

- December 17, 2018 Regular meeting minutes

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

Roll Call: Biviano – abstain, Dandy – abstain, Kidd- yes, Smerdon – yes, Stashek – abstain, Ross – yes, Heck - yes

- December 17, 2018 Executive meeting minutes

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

Roll Call: Biviano – abstain, Dandy – abstain, Kidd- yes, Smerdon – yes, Stashek – abstain, Ross – yes, Heck - yes

REPORTS:

- Assessor – no report
- Clerk – no report
- Emergency Management – Mayor Heck stated that the Borough is approaching the end of the first FEMA grant. We are looking into new grants if there are funding opportunities. He commented that we



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updated “Eteams” which is an online training and event reporting program. There is an emergency management seminar in May what the Mayor would like to see members of the borough council attend.

- Finance – no report
- Historic Commission – On behalf of Ms. Orton, Ms. Patricia Morris reported the FEMA elevations look good and the historic district commission was helpful in giving assistance to these homeowners. Ms. Morris commented that despite the flooding and natural events the boroughs historic district still exists. Mayor Heck complimented Ms. Morris and Ms. Orton on all their efforts over the years.
- Millstone Valley Fire Department – no report
- Recreation Commission – Md. Wendy Heck reported that the recreation committee in 2018 did an Easter egg hunt, yard sale, Halloween party and the Polar Express night. Ms. Heck stated the roof on the shed needs to be replaced as it leaks. Mayor Heck stated he would fix the roof. Mayor Heck asked Councilman Dandy and Councilman Kidd to assist with that repair.
- State Police – Mayor Heck stated he would address resident concerns regarding the responsiveness of the State police. They should take resident complaints regarding traffic issues.
- Tax Collection – no report

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

Roll Call: Biviano – abstain, Dandy – abstain, Kidd- yes, Smerdon – yes, Stashek – abstain, Ross – yes

COUNCIL REPORTS:

- Buildings and Grounds – Councilman Dandy reported there is a leak in the shed ☺
- Planning Board – no report
- Traffic and Roads – Mayor Heck stated we are nearing start of the Van Doren Drive road project. He also commented that some of the catch basins in the borough need cleaning or repair, he will work with the county to get that work done. Councilman Bviano also commented that some sidewalks are blocked by overgrown brush. Mayor Heck commented that last year he cut the brush in that area because the resident was ill last year. Councilman Kidd stated he would do it this year for the resident.

MAYOR’S REPORT:

Mayor Heck reported on the traffic safety devices that are being installed in the borough. He stated the borough council is looking at a number of safety devices to address a number of issues including speeding and school bus safety. We have order radar traffic signs to be installed on the county road that should be installed within the next few weeks. He is also looking at the installation of cameras in strategic areas in town. The borough has an extremely low crime rate and we are working to maintain that distinction,

Mayor Heck talked about having town hall meetings with the public to discuss the real possibility of installing sewers in the borough. We are gathering information and getting close to being able to present this project to the public so the public can decide.

Mayor Heck reiterated that he will be establishing a number of blue ribbon panels made up of the public to look into certain recommendations and issues in the borough. Items such as the school tax, fire services, court and police services. These are important issues that the residents should have a say in how their tax dollars are spent.



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Mayor Heck commented on the final phase of the FEMA grant and the ongoing CERT certification, he stated much training and work goes into being prepared and have the CERT team members trained.

Mayor Heck stated that during a recent coffee with the mayor session he received much feedback. He would like to continue these informal meetings with the public to have discussions. He also hopes to have the local cable TV station up and running within the next few weeks.

Mayor Heck informed the Borough Council that he is also looking at products such as Swift 911 which is a free emergency alert system the borough could use. He wants to be able to directly communicate with residents in an emergency.

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: Biviano – yes, Dandy – abstain, Kidd- yes, Smerdon – yes, Stashek – abstain, Ross - yes

Rebecca Newman asked what the mayor’s timeline is for establishing the blue ribbon committee? Will their recommendations be implemented for this year’s budget? Mayor Heck stated that the committees are established and can work as fast as they wish, but it is important that they get it done right.

Ms. Newman asked about the status of the vacant properties. Mayor Heck stated violations have been issued and court date is later this month. Mayor Heck reviewed the list of vacant homes in the borough and the status of each. Only one property owner has been non-responsive to Mayor Heck’s inquiries.

Mayor Heck stated later in agenda the Borough Council will consider hiring a code enforcement officer to enforce our codes and issue violations.

- 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: Biviano – yes, Dandy – abstain, Kidd- yes, Smerdon – yes, Stashek – abstain, Ross - yes

CLAIMS FOR PAYMENT

- **RESOLUTION AUTHORIZING THE PAYMENT OF CLAIMS AGAINST THE BOROUGH OF MILLSTONE**

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

Roll Call: Biviano – abstain, Dandy – 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 as shown in the following spreadsheet; and

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

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			
4320	Raymond Heck	Reimb. For Registration to Conference of Mayors	\$1,900.00	8-014	8-20-101-20
4321	Somerset Cty Engineer	Eng Services 10/1-11/31/18; Inv. 307	\$871.80	8-018	8-20-165-20
4322	Somerset Cty Treasurer	Inv. #1162, Snow & Ice Removal 11/15 & 11/16	\$1,733.46	8-007	8-26-290-20
4323	Angel's Paving & Concrete	Inv# 38; Repair Alley Way with Blacktop	\$1,720.00	8-090	8-26-290-20
4324	A.W. Contracting	Inv. 50875; November	\$336.00	8-012	8-26-300-20
4325	Somerset Cty (Recycling)	4th Quarter Recycling	\$989.78	8-047	8-26-305-20
4326	MGL Printing Solutions	Inv. 160362, Dog/Cat License tags	\$437.00	8-092	8-27-340-20
4327	Mailbox Business Center	Dog and Cat Renewal Notices Mailing	\$163.51	8-093	8-27-340-20
4328	Franklin Township Police	November Services; Invoice FTPD013092-4	\$2,240.00	8-021	8-42-240-20
		2019 CURRENT FUND			
4329	NJLM	Inv. #310MLJ19; 2019 Membership Dues	\$221.00	9-002	9-20-110-20
4330	SDG	Inv. #18100838; 1st Qtr Monitoring, Insp & Testing	\$147.80	9-004	9-26-300-20
4331	National Trust Historic Pres	2019 Membership Renewal	\$50.00	9-005	9-28-370-20
		TOTAL CURRENT FUND	\$10,810.35		

NEW BUSINESS:



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- **RESOLUTION AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE HILLSBOROUGH/MILLSTONE MUNICIPAL ALLIANCE FOR JULY 1, 2019 THROUGH JUNE 30, 2020**

Councilman Kidd offered a resolution authorizing the submission of a strategic plan. Seconded by Councilwoman Smerdon.

Roll Call: Biviano – abstain, Dandy – yes, Kidd- yes, Smerdon – yes, Stashek – yes, Ross – yes

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Somerset;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Millstone, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Township/Borough/City Council does hereby authorize submission of a strategic plan for the Hillsborough/Millstone Municipal Alliance grant for July 1, 2019 through June 30, 2020 in the amount of:

DEDR	\$ 28,436.49
Cash Match	\$ 7,109.12
In-Kind	\$ 21,327.37
Total Alliance Budget	\$ 56,872.98

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

- **RESOLUTION AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE HILLSBOROUGH/MILLSTONE MUNICIPAL ALLIANCE FOR JULY 1, 2018 THROUGH JUNE 30, 2019**

Councilman Kidd offered a resolution authorizing the submission of a strategic plan. Seconded by Councilwoman Smerdon.

Roll Call: Biviano – abstain, Dandy – yes, Kidd- yes, Smerdon – yes, Stashek – yes, Ross – yes



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NOW, THEREFORE, BE IT RESOLVED by the Borough of Millstone, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Township/Borough/City Council does hereby authorize submission of a strategic plan for the Hillsborough/Millstone Municipal Alliance grant for July 1, 2018 through June 30, 2019 in the amount of:

DEDR	\$ 28,436.49
Cash Match	\$ 7,109.12
In-Kind	\$ 21,327.37
Total Alliance Budget	\$ 56,872.98

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

- **INTRODUCTION 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** and set the public hearing for January 21, 2019

Councilman Kidd offered Ordinance 2019-001 for introduction and set a public hearing date of January 21, 2019. Seconded by Councilwoman Smerdon.

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

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



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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.



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

- **RESOLUTION AUTHORIZING SALARIES AND OTHER COMPENSATION FOR MUNICIPAL OFFICIALS AND EMPLOYEES IN THE BOROUGH OF MILLSTONE AND REPEALING ALL OTHER RESOLUTIONS INCONSISTENT HEREWITH.**

Council President Ross offered a resolution authorizing salaries for 2019. Seconded by Councilwoman Smerdon.

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

BE IT RESOLVED 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 annually as follows in 2019;

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Millstone that the salaries set forth shall be paid when the Chief Financial Officer can certify that funding is available.

Position	2019 Salary
Borough Clerk*	\$11,673
Registrar	\$1,665
Chief Financial Officer	\$11,444
Deputy Treasurer	\$5,722
Planning Board Secretary	\$5,722
Tax Collector	\$11,444
Deputy Tax Collector	\$3,121
Tax Assessor	\$7,283
Zoning Officer	\$4,162
Qualified Purchasing Agent	\$1,665
Borough Marshall (per call)	\$104

Any and all salary authorizations inconsistent with this Resolution are hereby repealed.

- **RESOLUTION TO HIRE CODE ENFORCEMENT OFFICER.**

Councilman Kidd offered a resolution to hire a part time code enforcement officer. Seconded by Council President Ross.

Rebecca Newman asked if the contact information for this employee will be placed on website so resident can reach him. Mayor Heck stated it will.

Patricia Morris asked if this employee will be enforcing the maintenance codes. She stated a number of residents that treat their properties not as suburban community and she is concerned about excessive enforcement. Mayor Heck stated that he wishes to see this employee treat everyone with respect and to



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not issue violations for every issue, but rather he should work with the resident to resolve issues. Mayor Heck expected that only unkempt properties will be targeted.

A discussion about discretion and enforcement ensued.

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

WHEREAS, it is necessary for the Borough of Millstone to enforce its local codes; and

WHEREAS, Mayor Heck has recommended the hiring of a part time employee to assist with code enforcement; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Millstone that it hereby hires Ryan Hunt as a part time Code Enforcement Officer at an hourly rate of \$25.00.

OLD BUSINESS:

- Flood Management Project – Attorney Offen stated that with the introduction and subsequent adoption of the ordinance that was introduced tonight, the borough has done everything we need to do to make this project happen. The rest is on the property owner, Mr. Kestner.
- Sewers – Attorney Offen stated that the Borough has received back a draft agreement with HMUA. Before signing the agreement he suggested the borough meet with our own engineer to develop a plan and cost estimate for sewers. Mayor Heck stated that once we have that information we will have a public meeting to inform the public and let them decide.

ADJOURNMENT of Regular Meeting:

Councilman Kidd offered a resolution to adjourn the regular meeting at 9:15 PM. Seconded by Council President Ross.

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

Attested to:

Gregory J. Bonin, Borough Clerk