



Millstone Borough
BOROUGH COUNCIL
REGULAR MEETING MINUTES
November 18, 2019

TIME: 7:32 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	Absent
	Councilman Alan Kidd	Present
	Councilwoman Denene Smerdon	Present
	Councilman John Stashek	Absent
	Council President Scott Ross	Present
	Mayor Raymond Heck	Present

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

MINUTES:

- September 16, 2019 regular meeting minutes (DD AK abstain) tabled
- September 16, 2019 executive meeting minutes (DD AK abstain) tabled
- October 21, regular meeting minutes (DD DS abstain) tabled
- October 21, executive meeting minutes (DD DS abstain) tabled

REPORTS:

- Assessor: no report
- Board of Health: no report
- Borough Clerk: Clerk Bonin reported the general election was conducted without issue.
- Emergency Management/State Police/Millstone Valley Fire Department: Mayor Heck stated our new EOP will be in place by June of 2020. He sated there was no fire events this past month and the State police are looking into one theft in the community.
- Environmental Commission: no report
- Finance/Tax Collection: CFO Popick reported that tax collection rate for the current period is 98.02%
- Historic Commission: no report
- Recreation Commission: Mayor Heck reported there will be a Holiday event next month.

COUNCIL REPORTS:



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- Buildings and Grounds: no report
- Planning Board: There was no planning board meeting. Attorney Offen asked if a new date has been set for the public hearing on the Van Cleef application as the hearing was cancelled this past week due to illness. Councilman Biviano stated no date has been set yet. Mayor Heck stated a new meeting/public hearing will be scheduled.
- Traffic and Roads: no report.

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

Roll call: Biviano – yes, Kidd – yes, Smerdon – yes, Ross – yes.

MAYOR’S REPORT:

Mayor Heck reported

MEETING OPEN TO THE PUBLIC:

- Motion to Open the Meeting to the Public

A motion to open the meeting to the public was offered by Councilwoman Smerdon. Seconded by Councilman Biviano.

Roll call: Biviano – yes, Kidd – yes, Smerdon – yes, Ross – yes.

Mr. Lawrence Tarantino stated that the trees that had fallen in the river. Mayor Heck asked that Clerk Bonin call Vincent Russo from the County bridges and grounds division. Mr. Tarantino also commented that it appears the zoning officer cannot handle all the issue that are occurring in the community in terms of complaints, violations and paperwork. Mayor Heck stated that the Borough as hired additional help in the form of compliance officers to assist with violations. Mayor Heck stated that property code violations are handled by these new compliance officers not the zoning officer. Mr. Tarantino also commented that the historic district is “falling apart”. He referred a survey of the historic district and the conditions of same. Mayor Heck discussed an initial “self assessment” for homeowners. A brief discussion ensued as to like concerns in the community.

- Motion to Close the Meeting to the Public

A motion to close the meeting to the public was offered by Councilwoman Smerdon. Seconded by Councilman Biviano.

Roll call: Biviano – yes, Kidd – yes, Smerdon – yes, Ross – yes.

APPROVAL OF CLAIMS FOR PAYMENT:

A resolution to approve the claims for payment was offered by Councilman Biviano Seconded by Councilman Kidd

Roll call: Biviano – yes, Kidd – yes, Smerdon – 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;



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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.
		2019 CURRENT FUND			
4545	R & L Data Centers	Oct 2019 Payroll Services; Inv 98532	\$147.00	9-026	9-20-100-20
4546	Gannett NJ	Planning Bd Hearing; 10/25, 11/1	\$72.84	9-094	9-20-180-20
4546	Gannett NJ	Tax Sale; 10/15, 10/22, 10/29	\$185.93	9-095	9-20-145-20
4547	Stephen M. Offen, Esq.	Oct Inv 10986128 - Non-litigation Services	\$765.00	9-010	9-20-155-20
4547	Stephen M. Offen, Esq.	Oct Inv. 10986130; Selective Insurance	\$81.00	9-010	9-20-155-20
4547	Stephen M. Offen, Esq.	Oct Inv 10986127 - Affordable Housing	\$137.50	9-010	9-20-155-20
4548	Somerset County Engineering	August Engineering Services; Inv. 368	\$619.85	9-030	9-20-165-20
4549	Commissioners of Fire District No 1	4th Qtr 2019 Fire Services	\$9,418.66	9-087	9-25-255-20
4564	East Millstone First Aid Squad	2019 Donation	\$1,800.00	9-089	9-25-260-20
4550	NJ American Water	OCT 2019; Acct No 1018-210022797651-Fire Hydrant	\$1,066.72	9-020	9-25-265-20
4551	NJ American Water	OCT 2019; Acct No. 1018-210022093410; 1353 Main	\$27.46	9-021	9-26-300-20
4552	Republic Services	October Sanitation Services; Inv. 0865-001796727	\$2,615.08	9-025	9-26-305-20
4553	A.W. Contracting	Oct Inv. 54246, 54455, 54252	\$330.00	9-049	9-26-300-20
4565	Township of Hillsborough	2019 Health Services	\$18,000.00	9-093	9-27-330-20
4554	Portia Orton	Reimb. For Pamphlets for "Journey through the Past"	\$116.00	9-085	9-28-370-20
4555	PSE&G	Nov 2019; Acct No. 66-363-804-03; Amwell Rd	\$90.74	9-015	9-31-435-20
4556	PSE&G	Nov 2019; Acct No. 65-081-353-09; Amwell & Main	\$93.00	9-016	9-31-435-20
4557	PSE&G	Oct 2019; Acct 13 014 015 01; Master Acct	\$560.10	9-017	9-31-435-20
4558	CenturyLink	NOV 2019 comm services; Acct #309982488; 11/1-11/30	\$111.77	9-013	9-31-440-20
4559	Franklin Twp Police Dept	Sept 2019 Police Services; Inv. FTPD014391,2,3	\$2,800.00	9-035	9-42-240-20



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4560	Wells Fargo Home Mortgage	Refund-Tax payments for Veteran Exempt-17 Beardslee Rd	\$4,892.09	9-088	Fund Balance
4561	County of Somerset	2019 Added & Omitted Assessment Taxes - County	\$360.67	9-086	Fund Balance
4562	County of Somerset	2019 Added & Omitted Assessment Taxes - Library	\$52.88	9-086	Fund Balance
4563	County of Somerset	2019 Added & Omitted Assessment Taxes - Open Space	\$33.85	9-086	Fund Balance
		NOVEMBER 2019 PREPAID			
4544	Verizon Wireless	Bill Date 9/25/19; Inv 9840878348; 9/26-10/25	\$305.85	9-014	9-31-440-20
	Millstone Payroll Fund	November Payroll	\$1,500.00		
	Millstone Payroll Fund	November Payroll	\$2,552.04		
		TOTAL CURRENT FUND	\$48,736.03		
		NOVEMBER PAYROLL FUND			
		Mun. Clerk, S&W	\$1,111.50		
		Tax Collection, S&W	\$953.67		
		Tax Assessment, S&W	\$606.92		
		Planning Board, S&W	\$476.83		
		Finance, S & W	\$138.75		
		O.A.S.I.	\$251.51	9-008	
		TOTAL PAYROLL FUND	\$3,539.18		

NEW BUSINESS:

- **RESOLUTION AUTHORIZING BOROUGH OF MILLSTONE TO EXECUTE A CUSTOMER SERVICE AGREEMENT WITH THE TOWNSHIP OF HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY**

Attorney Offen gave a brief overview of the agreement. It allows Millstone Borough to have sewerage treated through the Hillsborough Municipal Utilities Authority as they are a member of the SRVSA. This gives the Borough the option to join the HTMUA if we choose and if they have capacity. Attorney Offen said this is last piece of government approvals but still subject to all conditions of the SRVSA.

A resolution to execute an agreement with the Hillsborough Municipal Utilities Authority was offered by Councilman Kidd. Seconded by Council President Ross.

Roll call: Biviano – yes, Kidd – yes, Smerdon – yes, Ross – yes.

WHEREAS, the Borough of Millstone (“Millstone”) presently does not have sanitary sewer service within its boundaries; and

WHEREAS, Millstone has entered into a New Jersey Council of Affordable Housing In Re: Petition for Substitute Certification: Millstone Borough Mediation Agreement in Settlement of the Objections of Van Cleef Among Millstone,



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the Planning Board of the Borough of Millstone and Van Cleef Family Limited Partnership, and Riverside, L.L.C. (the “Mediation Agreement”); and

WHEREAS, the Mediation Agreement is intended to satisfy and fulfill Millstone’s obligations with respect to affordable housing; and

WHEREAS, pursuant to the Mediation Agreement, the Borough of Millstone has agreed to take all actions which are necessary or appropriate in conjunction with obtaining adequate utility service and sewer treatment service to the area which is the subject of the Mediation Agreement; and

WHEREAS, further, in accordance with the Mediation Agreement, Millstone has obtained a designation as a center or village pursuant to the State Development and Redevelopment Plan and an amendment to the applicable Wastewater Management Plan in order to allow the sanitary sewer service to the property which is the subject of the Mediation Agreement; and

WHEREAS, Millstone has entered into an Inter-municipal Cooperation Agreement between the Township of Hillsborough, Millstone, Van Cleef Family Limited Partnership, and Riverside L.L.C. by which the parties to that Agreement agree to cooperate for the inclusion of Millstone in a sewer service area and the provision of sufficient sewer capacity from Township of Hillsborough Municipal Utilities Authority (the “MUA”) and Somerset Raritan Valley Sewerage Authority (the “Authority”); and

WHEREAS, the Authority has adopted Resolution No. 17-0626-16 entitled “Resolution Authorizing Execution and Issuance of Conditional Will-Serve Letter to the Borough of Millstone in the Form Attached Hereto for Not More Than the Combined Average Daily Flow of 95,860 GPD”; and

WHEREAS, Millstone desires to enter into an agreement with the MUA to become a customer of it.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that the Borough of Millstone is hereby authorized to enter into a Customer Service Agreement with the Township of Hillsborough Municipal Utilities Authority in the form attached to this resolution; and

FURTHER RESOLVED that the Mayor and any other appropriate official of the Millstone are authorized to enter into the attached agreement on behalf of Millstone and to take any other necessary action in furtherance of this resolution.

• **RESOLUTION AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE HILLSBOROUGH/MILLSTONE MUNICIPAL ALLIANCE FOR JULY 1, 2020 THROUGH JUNE 30, 2025**

A resolution to authorize the submission of a strategic plan for the Municipal Alliance was offered by Councilman Biviano. Seconded by Council President Ross

Roll call: Biviano – yes, Kidd – yes, Smerdon – 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.



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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, 2017 through June 30, 2018 in the amount of:

DEDR	\$ 25,737.49
Cash Match	\$ 6,434.37
In-Kind	\$ 19,303.12

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

• **RESOLUTION AUTHORIZING A REFUND FOR OVERPAID 2019 TAXES**

A resolution to authorizing a refund for overpaid taxes was offered by Councilman Biviano. Seconded by Councilwoman Smerdon.

Roll call: Biviano – yes, Kidd – yes, Smerdon – yes, Ross – yes.

WHEREAS, block 2 lot 47, 17 Beardslee Road was granted a 100% disabled Veteran deduction in 2018; and

WHEREAS, Wells Fargo was informed of the exemption on September 26, 2018; and

WHEREAS, Wells Fargo sends an electronic file and one check for all of their mortgagee’s at once; and

WHEREAS, Wells Fargo included quarterly tax payments for 17 Beardslee Road for the first 2 quarters of 2019 despite the fact there is no billing in the tax system and the property is flagged EXEMPT.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Millstone, County of Somerset, State of New Jersey that a refund for the 2019 taxes in the amount of \$4,892.09 payable to Wells Fargo.

BE IT FURTHER RESOLVED, that the CFO is directed to cut a check in the amount of \$4,892.09 payable to Wells Fargo Home Mortgage, 1 Home Campus, MAC X 2302-4D, Des Moines, IA 50328.

OLD BUSINESS:



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- Sewers – Mayor Heck explained to those present that tonight’s action regarding sewers do not commit or provide sewers for the borough. This is one of the governmental approvals the borough needs to reach that goal. There will need to be many community discussions and analysis about the cost and desire for sewers.

EXECUTIVE SESSION:

A resolution to enter into executive session at 8:10 PM was offered by Councilwoman Smerdon. Seconded by Councilman Biviano.

Roll call: Biviano – yes, Kidd – yes, Smerdon – 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 – Hillsborough BOE	When the matter is concluded

ADJOURNMENT:

Upon returning from executive session, a motion to adjourn the regular meeting at 8:15 pm was offered by Councilwoman Smerdon. Seconded by Councilman Biviano.

Roll call: Biviano – yes, Kidd – yes, Smerdon – yes, Ross – yes.

Attested to:

Gregory J. Bonin, Borough Clerk