Millstone Borough

REGULAR MEETING MINUTES
May 17, 2021

In Compliance with the recent NJ State Executive Orders, the Borough Council meeting will be held virtually. The meeting will be conducted via the Zoom Meeting program and all are invited to participate. Meeting details are as follows;

Topic: Millstone Borough Council Meeting - May 17, 2021
Time: May 17, 2021 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting
https://us02web.zoom.us/j/88184972877?pwd=ckpJa25Pc1lIemNVenkxcTF1cVBYZz09

Meeting ID: 881 8497 2877
Passcode: 080635
One tap mobile
+13017158592,,88184972877#,,,,*080635# US (Washington DC)
+13126266799,,88184972877#,,,,*080635# US (Chicago)

Dial by your location
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
Meeting ID: 881 8497 2877
Passcode: 080635

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TIME: 7:30 PM

CALL TO ORDER – OPENING STATEMENT: Mayor Heck called the meeting to order with the reading of the following statement: The Regular meeting of the Borough Council, Borough of Millstone will please come to order. Adequate notice of this meeting has been noticed to the Hillsborough Beacon and Courier News. If any member of this body believes this meeting is being held in violation of the Open Public Meetings Act, please state your views at this time, stating the reason for which you feel the notice is improper. Hearing none, we proceed to the next item on the agenda.

PLEDGE TO THE FLAG: Mayor Heck led those present on the flag salute.

ROLL CALL:	Councilman Vincent Biviano	Present
	Councilman Robert Galli	Present
	Councilwoman Karen Kidd	Absent
	Councilwoman Kristen Ross	Present
	Councilman Jonathan Stashek	Present
	Council President Alan Kidd	Present
	Mayor Raymond Heck	Present

Also present: Attorney Stephen Offen, CFO Laura Vesce and Borough Clerk Gregory Bonin

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MINUTES:

- April 19, 2021 regular meeting minutes

Councilwoman Ross offered a motion to approve the minutes. Seconded by Councilman Galli.

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – abstain, A. Kidd – yes.

REPORTS:

- Assessor – no report
- Clerk – Clerk Bonin reminded everyone the NJ Primary is June 8th. Vote by mail or in person. Regular voting again.
- Emergency Management (OEM/State Police/Fire) – no report
- Finance/Tax Collection – no report
- Historic Commission – no report
- Recreation Commission – Mayor Heck reported the annual borough wide yard sale will be held during the second week in June, and the garbage bulk pick up will be the following Tuesday.

COUNCIL REPORTS:

- Buildings and Grounds – Councilwoman Ross stated we need to continue updating the park. Mayor Heck commented that he will spread mulch this weekend and new fence rails coming. Ms. Ross stated we should ask for volunteers to spread mulch. Ms. Ross asked about removing the graffiti in the park. Mayor Heck stated it has been addressed, painted
- Planning Board – Councilman Galli stated he missed the last Planning Board last meeting. Mayor Heck said he attended the meeting and the board discussed the plan endorsement acceptance. They also discussed property maintenance has improved since penalties were instituted.
- Traffic and Roads – Council President Kidd reported he has quote from Sealmaster for crack sealing borough roads. He stated the material is expensive, but to rent box is cheap. A total cost of $1,300 and we may wish to consider buying box for another $800.

MAYOR'S REPORT:

Mayor Heck commented on the Millstone low Covid cases. No death, mild cases. Despite the low numbers, the Mayor stated we will continue to disinfect the park and high contact areas.

The Mayor also commented there was a coyote sighting in town. He commented there is no real thread and residents should take the precaution to not leave food outside.

MEETING OPEN TO THE PUBLIC:

- Motion to Open the Meeting to the Public

Councilwoman Ross offered a motion to open the meeting to the public. Seconded by bv Councilman Biviano.

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – yes, A. Kidd – yes.

Thomas Hitchcock and Deborah Rzemieniewski were present to discuss the development options for the remaining 2 acres of the former Rzem property. Mr. Hitchcock asked if the borough as a preference for what to see there. Attorney Offen informed everyone we are discussion Block 1 Lot 7, and stated there was no agreement on this property so it is subject to standard zoning, which currently is Village commercial. Mr. Hitchcock agreed with Mr. Offen.

Mr. Hitchcock stated the family has long history with town and the historical nature of borough is barely mentioned in official documents. He continued that no historical artifacts were found on this property when the County constructed the bypass. He added that when sewer are constructed the tax burden will be on residents. Mr. Hitchcock commented that if the borough wants historical development on this property nothing may happen. He further commented that Millstone needs revenue producing property. Mr. Hitchcock stated the family's intention to sell property to a developer and hopes the borough would not prevent a developer from installing something to bring in revenue and this must be developed in a realistic way. He believes the two acres could be rezoned into two sections, one with entrance on Main Street and one on bypass.

Mayor Heck stated he appreciated Mr. Hitchcock's comments and asked Attorney Offen if the property is in sewer service area. Attorney Offen stated he believes it is but will confirm.

Mayor Heck commented that there are no restrictions on the property other than the current zoning. He further commented that the services provided by the borough are done at the lowest cost in the County. He said Mr. Hitchcock should bring a concept forward to planning board.

Mr. Hitchcock made point to say they don't want to attempt to do something that will cause extended discussions and was hoping borough would give idea of what they would like to see so no time is wasted.

No more public comments

- Motion to Close the Meeting to the Public

Councilwoman Ross offered a motion to close the meeting to the public. Seconded by council President Kidd.

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – yes, A. Kidd – yes.

CLAIMS FOR PAYMENT

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

Councilwoman Ross offered a motion to authorize the claims for payment. Seconded by Councilman Biviano.

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – yes, A. Kidd – yes.

WHEREAS, request for payment has been made in connection with the attached claims against the Borough of Millstone as shown on the attached detail; 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.

NEW BUSINESS:

- **PUBLIC HEARING/SECOND READING: CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**
    - Motion to open the public hearing

Council President Kidd offered a motion to open the meeting to the public. Seconded by Councilman Biviano.

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – yes, A. Kidd – yes.

- Motion to close the public hearing

Councilman Biviano offered a motion to close the meeting to the public. Seconded by Councilwoman Ross.

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – yes, A. Kidd – yes.

- Motion to adopt ordinance

Councilman Galli offered a motion to adopt the ordinance. Seconded by Council President Kidd.

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – yes, A. Kidd – yes.

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Millstone in the County of Somerset finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to $14,782.46 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Millstone, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Millstone shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to $14,782.46, and that the CY 2021 municipal budget for the Borough of Millstone be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

- **PUBLIC HEARING ON THE 2021 MILLSTONE BOROUGH MUNICIPAL BUDGET**
    - Motion to open the meeting to the public

Council President Kidd offered a motion to open the meeting to the public. Seconded by Councilwoman Ross.

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – yes, A. Kidd – yes.

- Motion to close the meeting to the public

Council President Kidd offered a motion to close the meeting to the public. Seconded by Councilman Biviano.

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – yes, A. Kidd – yes.

- **RESOLUTION TO ADOPT THE 2021 MILLSTONE BOROUGH BUDGET**

Councilman Biviano offered a motion to adopt the 2021 borough budget. Seconded by Councilman Galli.

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – yes, A. Kidd – yes.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the

Municipal Budget for year 2021; and

BE IT FURTHER RESOLVED, that said Budget was published in the Courier News in the issue of May 3, 2021; and

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Millstone does hereby approve the document as the Budget for the year 2021:

RECORDED VOTE

AYES	**(**	**NAYS**	**(**	**ABSTAINED**	**(**
	(		**(**	**ABSENT**	**(**

Notice is hereby given that the Budget and Tax Resolution were approved by the Borough Council of the Borough of Millstone, County of Somerset, on April 19, 2021.

A hearing on the Budget and Tax Resolution was held in the Borough Hall, on May 17, 2021 at 7:30 PM at which time comments, including objections, to said Budget and Tax Resolution for the year 2021 were presented by taxpayers or other interested persons.

- **DISCUSSION**: ordinance describing difference between farm animal and pet and how to develop framework.

Mayor Heck asked the Borough Council members if they wish to consider an ordinance to consider a framework for the management in the borough of farm animals. Particularly animals such as chicken, pigs, etc. Councilwoman Ross asked if there have been more complaints. Mayor Heck stated none that he is aware as he tracks complaints and resolutions. Councilman Biviano asked what the complaint was about, smell, noise. Mayor Heck said no complaint on any of those items.

Council President Kidd suggested we look into an ordinance to limit or prescribe rules for farm animals. The Borough Council agreed.

- **Noise discussion** – Mayor Heck stated we don't have a noise ordinance, largely because there would be a need for an enforcement officer trained to use a decibel meter. Mayor Heck thinks this is less a noise issue and more quality of life, especially construction noise. Mayor Heck believes we should consider an ordinance to identify what time of day certain items can be used.

Attorney Offen stated such ordinances are not unusual and there are two ways to limit noise: measure decibels or limit hours of activity.

Mayor Heck suggested limiting the hours of activity. The Borough Council agreed.

Council President Kidd also suggested we consider an ordinance to prevent residents from parking on lawns.

Councilman Galli asked which day the annual bulk trash pick up day will be in the Borough as this is a big event in town. He also asked that residents be notified.

Mayor Heck stated notifications will be via the website, borough social media and a postcard sent to homes.

- **DISCUSSION**: Comcast Franchise renewal

Attorney Offen commented that we need to act on the Comcast Franchise renewal. One aspect is to have a public hearing within four months. Mayor Heck stated he wants to speak with our Comcast representative, Rob Clifton, to discuss it upgrades around the state and our borough Comcast infrastructure.

Attorney Offen suggested we invite Comcast to a meeting to discuss.

OLD BUSINESS:

- Sewers - none

Councilman Vincent Biviano announced he is selling house and will be resigning from the council in the near future. The Borough Council wished him well.

ADJOURNMENT of Regular Meeting:

Councilwoman Ross offered a motion to adjourn the meeting at 8:50 PM. Seconded by Council President Kidd

Roll Call: Biviano – yes, Galli – yes, Ross – yes, Stashek – yes, A. Kidd – yes.

Attested to:

Gregory J. Bonin, Borough Clerk

May 17, 2021 Claims list

1 / 4 79.3%

May 13, 2021
03:37 PM

Millstone Borough
Purchase Order Listing By P.O. Number

P.O. Type: All
Range: First to Last
Format: Detail with Line Item Notes
Include Non-Budgeted: Y

Received Date Range: 04/20/21 to 12/31/21

Open: N Paid: Y Void: N
Rcvd: Y Held: N Aprv: Y
Bid: Y State: Y Other: Y Exempt: Y

PO # / Item	PO Date	Vendor / Description	Amount	Charge Account	Contract / Acct Type	PO Type / Description	Stat/Chk	First Enc Date	R / D
21-00001	01/10/21	OASI OASI				B			
13		SOCIAL SECURITY PAYROLL-MAY	271.60	1-01-36-472-213	B	SOCIAL SECURITY	P	133 01/10/21	0
21-00002	01/10/21	OFFENSTE STEPHEN OFFEN				B			
8		LEGAL SERVICES-APRIL	527.00	1-01-20-155-200	B	LEGAL-OTHER EXPENSES	P	5003 01/10/21	0
21-00003	01/10/21	VERIZONW VERIZON WIRELESS				B			
5		WIRELESS COMMUNICATION BILL DATE: APRIL 25, 2021 MARCH 26 - APRIL 25	220.76	1-01-31-440-210	B	TELEPHONE	P	4997 01/10/21	0
21-00010	01/12/21	PSEG PSE&G				B			
6		ELEC;66 363 804 03; AMWELL BILL DATE: MAY 6, 2021 APRIL 6 - MAY 4, 2021	102.71	1-01-31-435-205	B	STREET LIGHTING	P	5004 01/12/21	0
21-00011	01/12/21	PSEG PSE&G				B			
6		ELEC;65 081 353 09;AMWELL&MAIN BILL DATE: MAY 6, 2021 APRIL 6 - MAY 4, 2021	105.24	1-01-31-435-205	B	STREET LIGHTING	P	5005 01/12/21	0
21-00012	01/12/21	PSEG PSE&G				B			
6		ELEC; 13-014-015-01; VARIOUS BILL DATE: MAY 11, 2021 APRIL 6 - MAY 4	704.91	1-01-31-435-205	B	STREET LIGHTING	P	5006 01/12/21	0

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Millstone Borough
Purchase Order Listing By P.O. Number

PO # / Item	PO Date	Vendor / Description	Amount	Charge Account	Contract / Acct Type	PO Type / Description	Stat/Chk	First Enc Dat
21-00020	02/02/21	NJAMWATE NJ AMERICAN WATER		Continued				
		MARCH 17 - APRIL 19, 2021						
21-00024	02/08/21	REPUBLIC REPUBLIC SERVICES				B		
5		SANITATION SERVICES; APRIL	2,774.42	1-01-26-305-200	B	SANITATION-OTHER EXPENSE	P	5007 02/08/2
21-00034	03/04/21	FRANKPOL FRANKLIN TOWNSHIP POLICE DEPT				B		
5		POLICE SERVICES-APRIL	980.00	1-01-42-390-212	B	INTERLOCAL POLICE SERVICE	P	4999 03/04/2
6		POLICE SERVICES-APRIL	980.00	1-01-42-390-212	B	INTERLOCAL POLICE SERVICE	P	4999 03/04/2
7		POLICE SERVICES-APRIL	700.00	1-01-42-390-212	B	INTERLOCAL POLICE SERVICE	P	4999 03/04/2
			2,660.00					
21-00045	04/05/21	COMPASSM COMPASSMSP				B		
5		MICROSOFT EMAIL PLAN-APRIL	100.00	1-01-20-140-200	B	INFORMATION TECHNOLOGY - OTHER EXPENSES	P	4998 04/05/2
21-00051	04/29/21	SOMERENG SOMERSET COUNTY ENGINEERING				B		
2		ENGINEERING SERVICES FOR MARCH	151.88	1-01-20-165-200	B	ENGINEERING-OTHER EXPENSES	P	5008 04/29/2
21-00052	04/29/21	TREASNJ TREASURER-STATE OF NJ						
1		STORMWATER DISCHARGE PERMIT RENEWAL NJEMS BILL ID 222994100 7/1/20-6/30/2021	500.00	1-01-20-100-200	B	A&E-OTHER EXPENSES	P	5009 04/29/2
21-00054	05/06/21	SOMERCTY SOMERSET COUNTY						
1		2ND QTR TAXES 2021 - COUNTY	47,102.39	1-01-55-907-001	B	COUNTY TAXES PAYABLE	P	4994 05/06/2
21-00055	05/06/21	SOMERCTY SOMERSET COUNTY						
1		2ND QTR TAXES 2021 - LIBRARY	6,868.56	1-01-55-907-001	B	COUNTY TAXES PAYABLE	P	4995 05/06/2
21-00056	05/06/21	SOMERCTY SOMERSET COUNTY						

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May 13, 2021
03:37 PM

Millstone Borough
Purchase Order Listing By P.O. Number

PO # / Item	PO Date	Vendor / Description	Amount	Charge Account	Contract / Acct Type	PO Type / Description	Stat/Chk	First Enc Date
21-00058	05/12/21	MILLPAYR MILLSTONE BORO PAYROLL		Continued				
2		TAX ASSESSOR S/W - MAY	606.92	1-01-20-150-100	B	TAX ASSESSOR-SALARY & WAGES	R	05/12/21
3		TAX COLLECTOR S/W - MAY	953.67	1-01-20-145-100	B	TAX COLLECTOR-SALARY & WAGES	R	05/12/21
4		PLANNING BD S/W - MAY	476.83	1-01-21-180-100	B	PLANNING BD-SALARY &WAGES	R	05/12/21
5		FINANCE S/W - MAY	138.75	1-01-20-130-100	B	FINANCE-SALARY & WAGES	R	05/12/21
6		CONSTRUCTION/INSP S/W - MAY	262.50	1-01-22-195-100	B	INSP OF BLDG-SALARY &WAGES	R	05/12/21
			3,550.17					
21-00059	05/12/21	GOVERFOR GOVERNMENT FORMS AND SUPPLIES						
1		2021 DOG LICENSES	159.52	T-27-56-001-001	B	ANIMAL CONTROL EXPENSES	P	1026 05/12/21
2		2021 DOG / CAT TAGS	216.80	T-27-56-001-001	B	ANIMAL CONTROL EXPENSES	P	1026 05/12/21
			376.32					

4 / 4 79.3%

May 13, 2021
03:37 PM

Millstone Borough
Purchase Order Listing By P.O. Number

Totals by Year-Fund

Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	1-01	71,359.73	0.00	0.00	71,359.73
	T-27	376.32	0.00	0.00	376.32
Total Of All Funds:		71,736.05	0.00	0.00	71,736.05