



Millstone Borough

REGULAR MEETING AGENDA

December 18, 2023

In Compliance with the Open Public Meetings Act and NJ State Executive Orders, the Borough Council meeting will be held both in person and virtually. The virtual portion of the meet will be conducted via the Zoom Meeting program and all are invited to participate. Meeting details are as follows;

Millstone Borough Council monthly regular meetings
Every Third Monday of the Month at 7: 30 PM

March 20, 2023 07:30 PM	April 17, 2023 07:30 PM	May 15, 2023 07:30 PM
June 19, 2023 07:30 PM	July 17, 2023 07:30 PM	Aug 21, 2023 07:30 PM
September 18, 2023 07:30 PM	October 16, 2023 07:30 PM	November 20, 2023 07:30 PM
December 18, 2023 07:30 PM		

Join Zoom Meeting

<https://us02web.zoom.us/j/87610301473?pwd=dnJoMlZlcTcwa2h5cjZlRbVpVWHk4QT09>

Meeting ID: 876 1030 1473

Passcode: 244337

One tap mobile

+19292056099,,87610301473#,,,,*244337# US (New York)

+13017158592,,87610301473#,,,,*244337# US (Washington DC)

Find your local number: <https://us02web.zoom.us/j/87610301473?pwd=dnJoMlZlcTcwa2h5cjZlRbVpVWHk4QT09>

TIME: 7:30 PM

CALL TO ORDER – OPENING 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:

ROLL CALL:

- Councilwoman Mandy Coppola
- Councilman Robert Galli
- Councilwoman Nicole Grimshaw
- Councilwoman Karin Kidd
- Councilman Jonathan Stashek
- Council President Alan Kidd
- Mayor Raymond Heck

Also Present:

MINUTES:

- none



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REPORTS:

- Assessor –
- Clerk –
- Emergency Management (OEM/State Police/Fire) –
- Finance/Tax Collection –
- Historic Commission –
- Recreation Commission –

COUNCIL REPORTS:

- Buildings and Grounds –
- Planning Board –
- Traffic and Roads –

MAYOR'S REPORT:

MEETING OPEN TO THE PUBLIC:

- Motion to Open the Meeting to the Public
- Motion to Close the Meeting to the Public

CLAIMS FOR PAYMENT

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

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.



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NEW BUSINESS:

- **RESOLUTION TO APPROVE A SHARED SERVICES AGREEMENT WITH BRANCBURG TOWNSHIP FOR LEAF COLLECTION AND DISPOSAL SERVICES.**

WHEREAS, the Borough of Millstone and Township of Branchburg desire to enter into a shared services agreement for Leaf Collection and Disposal Services per NJSA 40A:65-1 et seq; and

WHEREAS, as set forth in the agreement the Township of Branchburg will provide labor and equipment for the Leaf Collection and Disposal Services in the Borough of Millstone; and

WHEREAS the Borough of Millstone will compensate the Township of Branchburg in the amount of \$3,000 per collection; and

WHEREAS the agreement shall be for a period up to ten (10) years and effective as of September 1, 2023; and

WHEREAS, either party has the option to cancel the agreement upon ninety (90) days written notice to the other party.

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State OF New Jersey does hereby authorize the Mayor and Borough Clerk to sign the interlocal service agreement between the Borough of Millstone and the Township of Branchburg for Leaf Collection and Disposal Services.

- **RESOLUTION FOR A THREE MONTH GRANT AWARD EXTENSION WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HERITAGE PARK TRAIL PROJECT.**

NOW, THEREFORE, BE IT RESOLVED that Borough Council of the Borough of Millstone formally approves the request for a second three (3) month award extension for the above stated project.

BE IT FURTHER RESOLVED that Mayor and Borough Clerk, or those authorized on their behalf, are to submit a formal request for a second three (3) month award extension for the above referenced project to the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the second three (3) month award extension request on behalf of Millstone Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement.



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- **Introduction of ORDINANCE NO. 2023-005: AN ORDINANCE BY BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY REGULATING PRIVATELY-OWNED SALT STORAGE and set the public hearing for December __, 2023.**

SECTION I. PURPOSE:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Borough of Millstone to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;



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4. The structure cannot be open sided; and
 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. "Resident" means a person who resides on a residential property where de-icing material is stored.

SECTION III. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.



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(1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

5. Containers must be sealed when not in use; and

6. The site shall be free of all de-icing materials between April 16th and October 14th.

B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.

C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.

D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION V. Enforcement:

This ordinance shall be enforced by the Borough Marshall of the Borough of Millstone during the course of ordinary enforcement duties.



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SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows Five Hundred dollars (\$500.00).

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

- **Introduction of ORDINANCE NO. 2023-006: AN ORDINANCE BY BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY REGULATING ILLICIT CONNECTION TO THE MUNICIPAL STORM SEWER SYSTEM and set the public hearing for December __, 2023.**

SECTION I. Purpose:

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Borough of Millstone, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other



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than stormwater) to the municipal separate storm sewer system operated by the Borough of Millstone, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

- c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).
- d. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Millstone or other public body, and is designed and used for collecting and conveying stormwater.
- e. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A
- f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- g. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- h. Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.
- i. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

SECTION III. Prohibited Conduct:

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Borough of Millstone any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).



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SECTION IV. Enforcement:

This ordinance shall be enforced by the Borough Marshall of Borough of Millstone.

SECTION V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed Five Hundred dollars (\$500.00).

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

- **Introduction of ORDINANCE NO. 2023-007: AN ORDINANCE BY BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY REGULATING THE IMPROPER DISPOSAL OF WASTE and set the public hearing for December __, 2023.**

SECTION I. Purpose:

An ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Borough of Millstone, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)— a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Borough of Millstone or other public body, and is designed and used for collecting and conveying stormwater.



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- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

SECTION III. Prohibited Conduct:

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough of Millstone is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

SECTION IV. Exceptions to Prohibition:

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- c. Air conditioning condensate (excluding contact and non-contact cooling water)
- d. Irrigation water (including landscape and lawn watering runoff)
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- f. Residential car washing water, and residential swimming pool discharges
- g. Sidewalk, driveway and street wash water
- h. Flows from fire fighting activities
- i. Flows from rinsing of the following equipment with clean water:
 - Beach maintenance equipment immediately following their use for their intended purposes; and
 - Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

SECTION V. Enforcement:

This ordinance shall be enforced by the Borough Marshall. of the Borough of Millstone.



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SECTION VI. Penalties:

Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine not to exceed Five Hundred dollars (\$500.00).

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

- **Introduction of ORDINANCE NO. 2023-008: AN ORDINANCE BY BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY PROVIDING FOR LITTER CONTROL and set the public hearing for December __, 2023.**

SECTION I. Purpose:

An ordinance to establish requirements to control littering in the Borough of Millstone, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Litter - any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- b. Litter Receptacle – a container suitable for the depositing of litter.



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- C. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

SECTION III. Prohibited acts and regulated activities:

1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

SECTION IV. Enforcement:

This ordinance shall be enforced by the Borough Marshall of the Borough of Millstone.

SECTION V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed Five Hundred dollars (\$500.00).

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

- **Introduction of ORDINANCE NO. 2023-009: AN ORDINANCE BY BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY REGULATING PET WASTE and set the public hearing for December __, 2023.**

SECTION I. Purpose:

An ordinance to establish requirements for the proper disposal of pet solid waste in the Borough of Millstone, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.



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SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

SECTION III. Requirement for Disposal:

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

SECTION IV. Exemptions:

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

SECTION V. Enforcement:

The provisions of this Article shall be enforced by the Board of Health of the Borough of Millstone.

SECTION VI. Violations and Penalty:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed Five Hundred dollars (\$500.00).



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SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

- **Introduction of ORDINANCE NO. 2023-010: AN ORDINANCE BY BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY REGULATING PRIVATE STORM DRAIN INLET RETROFITTING and set the public hearing for December __, 2023.**

SECTION I. Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Millstone so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Millstone or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.



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- c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- 1. Already meets the design standard below to control passage of solid and floatable materials; or
- 2. Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.

SECTION IV. Design Standard:

Storm drain inlets identified in Section III above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

- 1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.



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2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:
 - a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities);or
 - ii. A bar screen having a bar spacing of 0.5 inches.
 - c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
 - d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

SECTION V. Enforcement:

This ordinance shall be enforced by the Borough Marshall of the Borough of Millstone.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed Five Hundred dollars (\$500.00) for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such



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portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

- **Introduction of ORDINANCE NO. 2023-011: AN ORDINANCE BY BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY REGULATING WILDLIFE FEEDING and set the public hearing for December __, 2023.**

SECTION I. Purpose:

An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Borough of Millstone, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife – all animals that are neither human nor domesticated.

SECTION III. Prohibited Conduct:

- a. No person shall feed, in any public park or on any other property owned or operated by the Borough of Millstone, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

SECTION IV. Enforcement:

- a. This ordinance shall be enforced by the Borough Marshall. of the Borough of Millstone.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.



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SECTION V. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed Five Hundred dollars (\$500.00).

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

- **Introduction of ORDINANCE NO. 2023-012: AN ORDINANCE BY BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY REGULATING YARD WASTE COLLECTION and set the public hearing for December __, 2023.**

SECTION I. Purpose:

An ordinance to establish a yard waste collection and disposal program in the Borough of Millstone, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.



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- c. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.
- d. Yard Waste – means leaves and grass clippings.

SECTION III. Yard Waste Collection

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

SECTION IV. Enforcement:

The provisions of this ordinance shall be enforced by the Borough Marshall of the Borough of Millstone.

SECTION V. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed Five Hundred dollars (\$500.00).

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

OLD BUSINESS:

- Sewers –
- LEPC –
- FEMA/Mitigation –
- Status of PILOT –



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EXECUTIVE SESSION (if necessary):

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 the balance of this meeting shall be closed to the public; and

BE IT FURTHER RESOLVED, that the meeting shall be adjourned at the end of the closed session; 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>
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ADJOURNMENT of Regular Meeting:

Attested to:

Gregory J. Bonin, Borough Clerk



Millstone Borough

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December 13, 2023 09:17 PM		Millstone Borough Purchase Order Listing By P.O. Number				Page No: 2			
PO #	PO Date	Vendor	Amount	Charge Account	Contract PO Type	First Rcvd	Chk/Void		
Item Description					Acct Type Description	Stat/Chk	Enc Date	Date	Invoice
23-00027	01/30/23	CARTERVA CARTER VAN DYKE ASSOCIATES			B				
12		PLANNING BO SERVICES	85.00	3-01-21-180-200	B PLANNING BO-OTHER EXPENSES	P	5770 07/13/23	12/12/23 12/13/23	19475
23-00029	01/31/23	GANNETTJ GANNETT NEW YORK/NEW JERSEY			B				
10	ORD 2023-004; 9/22/23		53.72	3-01-20-110-200	B MAYOR & COUNCIL-OTHER EXPENSES	P	5774 01/31/23	12/04/23 12/13/23	5967363
11	ORD 2023-004; 11/2/23		43.58	3-01-20-110-200	B MAYOR & COUNCIL-OTHER EXPENSES	P	5774 12/04/23	12/12/23 12/13/23	6034663
			97.30						
23-00030	01/31/23	OFFENSTE STEPHEN OFFEN			B				
18		LEGAL SERVICES - NOVEMBER	400.00	3-01-20-155-200	B LEGAL-OTHER EXPENSES	P	5781 01/31/23	12/05/23 12/13/23	11332425
23-00034	02/16/23	VCS10BS4 VISUAL COMPUTER SOLUTIONS			B				
16		POLICE SERVICES-11/16,11/20,	1,596.96	3-01-42-390-212	B INTERLOCAL POLICE SERVICE	P	5789 11/16/23	12/10/23 12/13/23	470003107
23-00036	02/23/23	SOMERREC SOMERSET COUNTY TREASURER			B				
5	2023 RECYCLNG - 4TH QTR		1,128.08	3-01-26-305-200	B SANITATION-OTHER EXPENSE	P	5788 08/14/23	12/03/23 12/13/23	4TH QTR
23-00067	06/04/23	FRANKLIN FRANKLIN TOWNSHIP			B				
4		ANIMAL CONTROL SERVICE	541.01	3-01-27-340-206	B DOG REGULATION	P	5773 06/04/23	12/13/23 12/13/23	4TH QTR
23-00068	06/01/23	HILLSTWP HILLSBOROUGH TOWNSHIP			B				
3		HEALTH SERVICES CONTRACT	9,959.50	3-01-27-330-200	B BO OF HLTH-OTHER EXPENSE	P	5776 06/01/23	12/03/23 12/13/23	
23-00099	09/12/23	COMFIRE COMMISSIONERS OF FIRE DIST 1			B				
5	2023 FIRE DISTRICT CONTRACT		10,658.29	3-01-25-255-203	B FIRE DISTRICT CONTRACT	P	5772 09/12/23	12/03/23 12/13/23	4TH QTR
23-00121	11/21/23	INDOORAI INDOOR AIR TECHNOLOGIES			B				
1		FURNACE-REHEEM ENDEAVOR	9,824.00	3-01-26-300-200	B BUILDINGS&GROUNDS-OTHER EXPENSES	P	5777 11/21/23	12/12/23 12/13/23	21295555
23-00123	11/30/23	MILLPAYR MILLSTONE BORO PAYROLL			B				
1		DECEMBER PAYROLL	8,402.54	3-01-55-901-004	B DUE TO/FROM PAYROLL	P	2500 11/30/23	11/30/23 11/30/23	
2		DECEMBER PAYROLL -DASI	644.74	3-01-36-472-213	B SOCIAL SECURITY	P	2500 11/30/23	11/30/23 11/30/23	
3		DECEMBER PAYROL-SUI	25.28	3-01-55-901-005	B DUE TO/FROM SUI	P	2500 11/30/23	11/30/23 11/30/23	
			9,072.56						
23-00124	12/03/23	CARTERVA CARTER VAN DYKE ASSOCIATES			B				
1		PLANNING SERVICES ESCROW	3,768.00	T-28-56-001-001	B TRUST ESCROW EXPENSES	P	1217 12/03/23	12/03/23 12/13/23	0019081

December 13, 2023 09:17 PM		Millstone Borough Purchase Order Listing By P.O. Number				Page No: 3				
PO #	PO Date	Vendor	Amount	Charge Account	Contract PO Type	First Rcvd	Chk/Void			
Item Description					Acct Type Description	Stat/Chk	Enc Date	Date	Invoice	
23-00125	12/03/23	MGL MGL			B					
1		DOG LICENSE FORMS	140.00	3-01-27-340-206	B DOG REGULATION	P	5778 12/03/23	12/13/23 12/13/23	201676	
2		NJ DOG LICENSE TAGS	143.00	3-01-27-340-206	B DOG REGULATION	P	5778 12/03/23	12/13/23 12/13/23	201676	
3		CAT LICENSE TAGS	143.00	3-01-27-340-206	B DOG REGULATION	P	5778 12/03/23	12/13/23 12/13/23	201676	
4		CAT LICENSE FORMS	140.00	3-01-27-340-206	B DOG REGULATION	P	5778 12/03/23	12/13/23 12/13/23	201676	
			566.00							
23-00126	12/03/23	FRANKLIN FRANKLIN TOWNSHIP			B					
1		COURT SERVICES-JULY-DEC 2023	5,944.00	3-01-43-490-200	B MUNICIPAL COURT-OTHER EXPENSES	P	5773 12/03/23	12/03/23 12/13/23		
23-00127	12/05/23	SHI SHI			B					
1		EXCHANGE ONLINE	1,087.68	3-01-20-140-200	B INFORMATION TECHNOLOGY - OTHER EXPENSES	P	5787 12/05/23	12/05/23 12/13/23	B17643092	
2		MICROSOFT 365 FOR THE PERIOD	283.20	3-01-20-140-200	B INFORMATION TECHNOLOGY - OTHER EXPENSES	P	5787 12/05/23	12/05/23 12/13/23	B17643092	
			1,370.88							
23-00128	12/12/23	HECKWEND WENDY HECK			B					
1		REIMBURSEMENT FOR ITEMS FOR	107.41	3-01-28-370-200	B PARKS-OTHER EXPENSES	P	5775 12/12/23	12/12/23 12/13/23		
3		REIMBURSEMENT FOR KEYS	33.95	3-01-28-370-200	B PARKS-OTHER EXPENSES	P	5775 12/12/23	12/12/23 12/13/23		
			141.36							
Total Purchase Orders:		26	Total P.O. Line Items:		34	Total List Amount:		62,329.55	Total Void Amount:	0.00



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Millstone Borough
Purchase Order Listing By P.O. Number

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	3-01	58,561.55	0.00	0.00	58,561.55
	T-28	3,768.00	0.00	0.00	3,768.00
Total of All Funds:		62,329.55	0.00	0.00	62,329.55