

**BOROUGH OF MILLSTONE**  
**BOROUGH COUNCIL REGULAR MEETING MINUTES**  
**June 16, 2008**

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**TIME:** 7:32 pm

**CALL TO ORDER – OPENING STATEMENT:** Mayor Heck read 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 the pledge.

**ROLL CALL:**

- Councilman Joe Dempster - present
- Councilwoman Carol Halm - present
- Councilman Robert McCarthy - absent
- Councilman Scott Ross - present
- Councilwoman Denene Smerdon - present
- Council President William Poch - present
- Mayor Raymond Heck - present

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**REPORTS:**

Jim Demuro reported the County took bids for the South River Street project project. The lowest bidder is Schivano construction for approximately \$24,000. Mr. DeMuro asked the County if the remainder of the project funds, approximately, \$25,000, could be used to pave North River Street. He was advised this was possible.

Mr. Demuro believes he can repair both streets for the budgeted funds. The Millstone Borough Council briefly discussed the need to repair other roads in the Borough. Councilman Dempster asked if the contractor would be willing to work with the Borough to effect patch repairs to other roads in the Borough specifically parts of Van Doren Drive where there has been water erosion. Mr. DeMuro advised that we could not transfer these funds to another road but he does believe the contractor would help us do other repairs in addition to North River Street. The Millstone Borough Council agreed to repair North River Street with this grant funding and to pursue additional road work.

A brief discussion of the scheduled repairs to South River Street was discussed as well as culvert repairs along Yorktown Road.

The Millstone Borough Council advised Mr. DeMuro to submit a second state aid grant for these projects and to prepare quotes for repairs to Van Doren Drive.

- Assessor – no report
- Clerk – Clerk Bonin reported on minutes that have been distributed for adoption next month.
- Emergency Management – Mayor Heck reported that that County is having ICS-2 classes in the near future.
- Finance – CFO Della Pia handed out his report.
- Historic Commission – Portia Orton reported the W3R group has received a certificate of liability from the Fife and Drum Corp. Portia presented a voucher for \$375 to retain the services of the Fife and Drum Corp. Portia stated that Christine Fung has been appointed Chairperson of the W3R group. Christine gave a brief presentation on groups that may be participating in the

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---

festival. A brief discussion ensued as to the receipt of funds and payment for various services associated with the festival as well as insurance requirements of vendors. Festival date is September 20, 2008, with a rain date Sunday, September 21<sup>st</sup>.

Portia Orton also commented on the Millstone Valley Scenic Byway Corridor Plan. She reviewed the plan with the Millstone Borough Council and commented on some changes she will be recommending to the Millstone Borough Council at a subsequent meeting. Patricia Morris commented on the particular items that the Millstone Borough Council and Planning Board will need to review and act upon in the near future.

- Millstone Valley Fire Department – no report
- Recreation Commission – Councilwoman Smerdon thanked Ms. Heck for her recent work on the annual yard sale. Ms. Heck reported on the receipts and expenses for the yard sale.
- State Police – Mayor Heck reported that the night before the yard sale he witnessed someone sleeping in the car on the county property. Mayor Heck will be reporting this to the State Police.
- Tax Collection – no report

**COUNCIL REPORTS:**

- Buildings and Grounds – Councilman Dempster reported he is still working on getting city water connected to the borough hall. Council President Poch asked if the community service worker is doing his duty. Mayor Heck reported he believes the arrangement is working out very well.
- Planning Board – Councilwoman Halm reported that she has no report for the Planning Board other than the June Planning Board meeting has been cancelled.
- Traffic and Roads – Council President Poch stated he has no report other than what was discussed with Engineer DeMuro.

A motion to accept the reports was offered by Council President Poch. Seconded by Councilwoman Smerdon.

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – yes.

**MAYOR'S REPORT**

Mayor Heck reported he attended a meeting sponsored by the NJSLOM regarding the State's municipal aid cuts. He also attended a press conference where the STARS group was presented to represent the interests of small and rural towns.

Mayor Heck stated he has spoken with the Franklin Township Administrator to arrange for police patrol services.

**PRESENTATION OF BILLS FOR PAYMENT:**

A motion to approve the claims for payment as presented was offered by Council President Poch. Seconded by Councilwoman Smerdon

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – yes.

**MEETING OPEN TO THE PUBLIC:**

**BOROUGH OF MILLSTONE**  
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**June 16, 2008**

---

- Motion to Open the Meeting to the Public

A motion to open the meeting to the public was offered by Councilwoman Halm. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – yes.

No public was present.

- Motion to Close the Meeting to the Public

A motion to close the public portion of the meeting was offered by Council President Poch. Seconded by Councilwoman Smerdon.

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – yes.

**NEW BUSINESS:**

Mayor Heck stated he has one item of new business: He would like the Borough to send a letter pledging \$500.00 to the NJ State League of Municipalities supporting their initiative to fight the new COAH regulations. The Millstone Borough Council agreed to pledge the funds should the NJSLOM make such a request.

A motion to support offer by Councilwoman Smerdon/ Seconded by Council President Poch.

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – yes.

**WHEREAS**, the Council on Affordable Housing is considering the adoption of their third round rules; and

**WHEREAS**, the Borough of Millstone has concern with respect to the adoption of these rules; and

**WHEREAS**, the NJ State League of Municipalities is organizing municipal opposition to these unfair and unreasonable rules.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Millstone Borough Council authorize an expenditure up to \$500.00 to challenge the COAH rules.

**BE IT FURTHER RESOLVED** that said funds are not being allocated at this time but the Mayor is authorized to submit a letter of intent to the NJSLOM efforts.

**OLD BUSINESS:**

- Second Reading/Public hearing on Ordinance 2008-003: Ordinance to exceed the Municipal Budget Cost of Living Allowance and to establish a cap bank when the COLA is equal to or less than 2.5 percent

A motion to table the public hearing and adoption of this ordinance to the regular Borough Council meeting on July 21, 2008 was offered by Council President Poch. Seconded by Councilman Ross.

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – yes.

**BOROUGH OF MILLSTONE  
BOROUGH COUNCIL REGULAR MEETING MINUTES  
June 16, 2008**

---

- 2008 Millstone Municipal Budget: public hearing and adoption

A motion to table the public hearing and adoption of the budget to the regular Borough Council meeting on July 21, 2008 was offered by Council President Poch. Seconded by Councilwoman Smerdon.

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – yes.

- Resolution Authorizing the renewal of a liquor license for Millstone Liquors

A motion to approve the license renewal was offered by Councilwoman Smerdon. Seconded by Councilwoman Halm.

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – yes.

**BE IT RESOLVED**, by the Borough Council of the Borough of Millstone, that it hereby authorizes the renewal of the following liquor license effective July 1, 2008

<u>LICENSEE/ ADDRESS</u>	<u>TYPE</u>	<u>LICENSE NO.</u>
Millstone Wine & Liquors Inc. 1377 Main Street Millstone, NJ 08844	Plenary Retail Consumption	1812-33-002-003

- Second reading – Ordinance 2008-002: Vicious Dog Ordinance

On advice of counsel, the Council President Poch offered a motion to table this matter until the July 21, 2008 regular meeting. Seconded by Councilwoman Smerdon.

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – yes.

Mayor Heck asked Clerk Bonin of the status of the PARIS records management grant. Clerk Bonin reported that he met with a County representative to discuss records retention, digitization and microfilming process. This work is a precursor to the purging of the Borough's files.

Mayor Heck discussed hazardous situations in town including many issues at the "Hazel Dickinson" house and the retaining wall. Discussions on these matters ensued. Mayor Heck stated the Borough must step in and make the necessary repairs to make the property safe. The Millstone Borough Council agreed.

**EXECUTIVE SESSION:**

A motion to enter into closed session at 9:20 PM was offered by Council President Poch. Seconded by Councilwoman Smerdon.

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – 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;

**BOROUGH OF MILLSTONE  
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---

**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>
Pending Litigation – Van Cleef	Once the matter is resolved
Contract Negotiations – Rzem Family	Once the matter is resolved

**ADJOURNMENT:**

A motion to adjourn the regular meeting at 9:36 PM was offered by Council President Poch. Seconded by Councilwoman Smerdon.

Roll Call: Dempster – yes, Halm – yes, Ross – yes, Smerdon – yes, Poch – yes.

Attested to:

Gregory J. Bonin, Clerk