

**BOROUGH OF MILLSTONE
BOROUGH COUNCIL REORGANIZATION MEETING MINUTES
January 3, 2007**

TIME: 7:30 PM.

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

PLEDGE TO THE FLAG: Councilman Poch led those present on the pledge of allegiance.

ROLL CALL:

- Councilman Joe Dempster - present
- Councilwoman Carol Halm - present
- Councilman Norman Hewitt - present
- Councilwoman Donna Lucash - present
- Councilman-elect Robert McCarthy - present
- Councilman-elect William Poch - present
- Mayor-elect Raymond Heck - present

SWEARING IN OF NEWLY ELECTED MAYOR:

Attorney Offen administered the Oath of Office to Mayor-elect Raymond Heck. Mayor Heck led the meeting at this point.

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

Mayor Heck administered the Oath of Office to Councilman-elect Robert McCarthy.

Mayor Heck administered the Oath of Office to Councilman-elect William Poch.

ELECTION AND SWEARING IN OF COUNCIL PRESIDENT:

Councilman Dempster nominated Councilman Poch for 2007 Council President. Seconded by Councilman Hewitt.

Council President Poch accepted the nomination.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

MAYORAL APPOINTMENT OF BOROUGH ATTORNEY:

A resolution to confirm the appointment of the Borough attorney was offered by Council President Poch. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

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

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

WHEREAS, the cost of this contract is anticipated to exceed \$17,500; and

WHEREAS, «OrganizationName» has submitted a proposal; and

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

WHEREAS, the Chief Financial Officer has certified funds are available in the 2007 budget for this contract;

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

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

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

Mayor Heck administered the Oath of Office to Attorney Offen.

MAYORAL APPOINTMENT OF BOROUGH ENGINEER:

A resolution to confirm the appointment of the Borough engineer was offered by Council President Poch. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

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

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

WHEREAS, the cost of this contract is anticipated to exceed \$17,500; and

WHEREAS, «OrganizationName» has submitted a proposal; and

WHEREAS, James DeMuro has completed and submitted a Business Entity Disclosure Certification; and

WHEREAS, the Chief Financial Officer has certified funds are available in the 2007 budget for this contract;

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

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

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

Mayor Heck administered the Oath of Office to Engineer DeMuro.

TEMPORARY BUDGET:

A resolution to accept the 2007 temporary budget was offered by Council President Poch. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

WHEREAS, the Municipal CFO in conjunction with the Governing Body have compiled the 2007 Temporary Budget for the Borough of Millstone pending study and adoption of the final budget for the year 2007.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that the 2007 Temporary Budget for the Borough of Millstone, be and hereby is adopted and approved this 3rd day of January 2007.

Administration o/e	\$927.50
Mayor and Council o/e	\$530.00
Municipal Clerk s/w	\$4372.50
Elections o/e	\$72.88
Financial Admin s/w	\$2915.00
Financial Admin o/e	\$371.00
Audit	\$2464.50
Collection of Taxes s/w	\$2915.00
Collection of Taxes o/e	\$132.50
Assessment of Taxes s/w	\$1457.50
Assessment of Taxes o/e	\$79.50
Legal Services o/e	\$15000.00
Engineering Services	\$5000
Planning Board s/w	\$1457.50
Planning Board o/e	\$5000.00
Implementation of Aff Housing	\$28000.00
Inspection of Buildings s/w	\$530.00
Inspection of Buildings o/e	\$530.00
Surety Bond Premiums	\$1100.00
Other Insurance Premiums	\$1325.00
Unemployment	\$200.00
Fire District Contract	\$5648.25
First Aid Organization Cont	\$477.00

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Fire Hydrant Service	\$2994.50
Emergency Management o/e	\$132.50
Municipal Prosecutor o/e	\$265.00
Road Repair & Maintenance o/e	\$1325.00
Snow Removal	\$8000.00
Buildings & Grounds o/e	\$2650.00
Sanitation	\$11395.00
Health s/w	\$26.50
Health o/e	\$3975.00
Services of Visiting Nurse	\$26.50
Environmental Commission o/e	\$66.25
Public Assistance s/w	\$6.63
Public Assistance o/e	\$6.63
Sr. Citizen Center	\$66.25
Parks & Playgrounds o/e	\$132.50
Historic Commission o/e	\$1062.92
Street Lighting	\$2915.00
Telephone	\$1000.00
PERS	\$674.80
Social Security System	\$1060.00
Municipal Court o/e	\$1007.00
Public Defender o/e	\$145.75
<u>Contingent</u>	<u>\$132.50</u>
Total General Appropriations	\$119,571.84

MOTION TO SET DATE FOR THE 2007 BUDGET WORK SESSION:

After a brief discussion it was decided that the budget work session will be held during the regular Borough Council meeting which will take place on February 19, 2007 at 6:30 PM in the Millstone Borough Hall.

A motion to approve that date was offered by Council President Poch. Seconded by Councilman Hewitt.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

RESOLUTION TO ADOPT 2007 MEETING SCHEDULE:

A resolution to approve the 2007 meeting schedule was offered by Council President Poch. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that the following is hereby established as a schedule of regular public meetings of the Borough Council for the year 2007, unless otherwise stated all meetings start at 7:30 PM in the Millstone Borough Hall, 1353 Main Street, Millstone, New Jersey:

February (at 6:30 PM)	19	August	20
March	19	September	17
April	16	October	15

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May	21	November	19
June	18	December	17
July	16	January 3, 2008 (Reorganization Meeting)	

BOROUGH COUNCIL COMMITTEE APPOINTMENTS AND RESOLUTION TO APPROVE:

A motion to make the following Borough Council appointments was officer by Council President Poch. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

Buildings and Grounds

1. Councilman Dempster

Budget, Finance and Fiscal Planning

1. Council President Poch

Street and Traffic

1. Councilwoman Lucash

Police, 911 Coordinator, Fire Services Liaison

1. Councilman Dempster

Historic District Commission Member

1. Councilwoman Lucash

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

1. Councilman Hewitt

Affordable Housing Liaison

1. Councilwoman Halm

Board of Health Liaison

1. Councilman McCarthy

A motion to appoint Councilwoman Halm as the Millstone Borough Council liaison to the Planning Board was offered by Council President Poch. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

A motion to appoint Mayor Heck and Council President Poch to serve as they Millstone Borough Council COAH negotiation team was offered by Councilwoman Lucash Seconded by Councilwoman Halm.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

2007 BOROUGH COUNCIL RESOLUTIONS

- **Resolution to name official Borough Depositories**

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A resolution to name the official Millstone Borough depositories was offered by Councilwoman Halm., Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

WHEREAS, it is necessary for the Borough Council of the Borough of Millstone to designate the financial institution to act as depository for the municipal funds for the year 2007; and

WHEREAS the Millstone Borough Council desires to name two depositories for the purpose of transitioning from one depository to another.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that Bank of America and Commerce Bank be and hereby is designated as the official depositories for Borough funds the for Borough of Millstone, Somerset County, State of New Jersey for the year 2007.

- **Resolution to name official Borough Newspapers**

A resolution to name the official Borough newspapers was offered by Council President Poch. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that the Hillsborough Beacon and Courier News are hereby designated as the official Borough newspapers for the Borough of Millstone, County of Somerset, State of New Jersey for the year 2007.

- **Resolution stating required signatures for Borough Checks**

A resolution regarding signatures on Borough checks was offered by Councilwoman Halm. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

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

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that the operating account of the Borough of Millstone requires

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the signature of three out of four being the Mayor, Council President, Municipal Clerk or Chief Financial Officer.

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

- **Resolution renewing Borough petty cash account**

A resolution regarding the Borough petty cash account was offered by Councilwoman Halm. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey hereby renews the existing Petty Cash Fund in accordance with the laws and regulations governing local governments for the year 2007.

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

- **Resolution authorizing the investment of Borough Funds**

A resolution regarding the investment of Borough funds was offered by Council President Poch. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

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

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

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

- **Resolution authorizing the correction of errors and the defense of Tax Appeals for 2007**

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A resolution regarding tax appeals was offered by Council President Poch. Seconded by Councilwoman Halm.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

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

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that it hereby authorizes the Borough Tax Assessor to correct errors in property tax assessment and to defend Borough tax appeals for the year 2007.

- **Resolution establishing the Rules of Conduct for 2007**

A resolution establish the rules of conduct for 2007 was offered by Councilwoman Lucash. Seconded by Council President Poch.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey hereby adopts the following Rules of Conduct for the Year 2007:

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

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11. The Borough Clerk will mail, transmit electronically or deliver meeting agenda and pertinent meeting documentation to all Council members at least four days before each meeting of the Borough Council.
12. All Officers must supply enough copies of their reports to be passed out to all Council Members and the Borough Clerk at each Council meeting.
13. The Borough Clerk will send out a copy of the agenda to the New Jersey State Police, Somerville Barracks at 790 Route 22 East, Bridgewater, New Jersey 08807.
14. Meetings shall be conducted based upon rules of order as outlined in "Roberts Rules of Order".

APPOINTMENTS TO COUNTY RESPONSIBILITIES (One Year Terms):

A motion to confirm the following appointments was offered by Council President Poch. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

Somerset County Development Committee

1. Mary Ann Devoti (Mayoral Appointment)
 2. Open - (Borough Council Appointment)
- Alternate. Open - (Mayoral Appointment with consent of Borough Council)

Somerset County Advisory Committees:

Cultural and Heritage

1. Patricia Morris (Mayoral Appointment)

Solid Waste

1. Open - (Mayoral Appointment)
2. Open - (Mayoral Appointment)

- Motion to accept Appointments.

2007 MAYORAL APPOINTMENTS:

- **Resolution to appoint Borough Auditors**

A resolution confirming Mayor Heck's appointment was offered by Council President Poch. Seconded by Councilwoman Halm.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

WHEREAS, NJSA 40A:11-5 provides for the awarding of professional service contracts without competitive bidding by the Borough Council of the Borough of Millstone, Somerset County, and;

WHEREAS, the auditing firm of Suplee Clooney Certified Municipal Auditors, has provided and served the Borough of Millstone with professionalism and a comprehensive understanding of the Borough's fiscal affairs.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that the professional auditing firm of Suplee Clooney be and hereby is appointed as Borough Auditor for the year 2007.

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- **Resolution to appointment Alternate Municipal Prosecutor**

This matter was tabled until a subsequent meeting.

- **Resolution appointing Borough Tax Search Officer**

A resolution confirming Mayor Heck's appointment was offered by Council President Poch. Seconded by Councilwoman Halm.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

WHEREAS, it is necessary for the Borough Council of the Borough of Millstone to appoint a Tax Search and Radial Search Officer for the year 2007.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that Borough Tax Collector Diane Wynn be and hereby is appointed as Tax Search and Radial Search officer for the year 2007.

- **Resolution appointing Borough Assessment Search Officer**

A resolution confirming Mayor Heck's appointment was offered by Council President Poch. Seconded by Councilwoman Halm.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

WHEREAS, it is necessary for the Borough of Millstone to appoint and Assessment Search Officer for the year 2007; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that Gregory J. Bonin be and hereby is appointed to a one year term as Assessment Search Officer for the Borough of Millstone commencing January 1, 2007.

- **Resolution appointing and individual responsible for Borough Tax Maps**

A resolution confirming Mayor Heck's appointment was offered by Council President Poch. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

WHEREAS, James DeMuro is the Borough Engineer for the term of one year commencing January 1, 2007; and

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey James DeMuro be and hereby is appointed the official responsible for the Tax Maps for the Borough of Millstone for a one year term beginning January 1, 2007.

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- **Appointments to Boards, Commission and Staff positions**

A motion to make Millstone Borough Council appointments was offered by Councilwoman Halm. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

Board/Commission/Dept.	First Name	Last Name	Title	Term Start	Term Expires	Term (yrs)
Board of Health	<i>Glenn</i>	<i>Belnay</i>	Health Officer	1/1/2007	12/31/2007	1
Board of Health	<i>Siobhan</i>	<i>Spano</i>	Deputy Health Officer	1/1/2007	12/31/2007	1
Board of Health	<i>Open</i>		Member	1/1/2007	12/31/2008	2
Board of Health	<i>Open</i>		Member	1/1/2007	12/31/2008	2
Deputy Clerk/Deputy Registrar	<i>Michele</i>	<i>Hovan</i>	Deputy Registrar/Dep Clerk	1/1/2007	12/31/2007	1
Environmental Commission	<i>Arthur</i>	<i>Milgrom</i>	Member	1/1/2007	12/31/2009	3
Historic Commission	<i>Matt</i>	<i>Denne</i>	Alternate	1/1/2007	12/31/2008	2
Municipal Court	<i>Dennis</i>	<i>Auciello</i>	Public Defender	1/1/2007	12/31/2007	1
Municipal Court	<i>Maria</i>	<i>DiMarzio</i>	Municipal Court Administrator	1/1/2007	12/31/2007	1
Municipal Court	<i>Steven</i>	<i>Rothblatt</i>	Municipal Prosecutor	1/1/2007	12/31/2007	1
Municipal Court	<i>Hedwig</i>	<i>Scibilia</i>	Deputy Court Administrator	1/1/2007	12/31/2007	1
Planning/Zoning Board	<i>Dan</i>	<i>Devoti</i>	Class II Member/Zoning Officer	1/1/2007	12/31/2007	1
Planning/Zoning Board	<i>Richard</i>	<i>McDermott</i>	Class IV Member	1/1/2007	12/31/2010	4
Recreation Commission	<i>Open</i>		Member	1/1/2007	12/31/2009	3
Recreation Commission	<i>Open</i>		Member	1/1/2007	12/31/2009	3
Senior Citizens Group	<i>Roberta</i>	<i>Dorward</i>	Advisor	1/1/2007	12/31/2007	1
Senior Citizens Group	<i>Frances</i>	<i>Gerechka</i>	Advisor	1/1/2007	12/31/2007	1
Somerset County Upper Raritan Wastewater Advisory Committee	<i>William</i>	<i>Poch</i>	Borough Representative	1/1/2007	12/31/2007	1

MEETING OPEN TO THE PUBLIC:

- Motion to Open the Meeting to the Public

A motion to open the meeting to the public at 8:32 PM was offered by Councilwoman Halm. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

- Motion to Close the Meeting to the Public
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There being no public wishing to be heard, Councilman Dempster offered a motion to close the public meeting at 8:33 PM. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

ADJOURNMENT:

A motion to adjourn the reorganization meeting at 8: 34 PM and start the regular meeting of the Millstone Borough Council was offered by Council President Poch. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

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**BOROUGH OF MILLSTONE
BOROUGH COUNCIL REGULAR MEETING AGENDA
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MINUTES:

- November 20, 2006 – Regular Meeting

A motion to approve the November 20, 2006 regular meeting minutes was offered by Council President Poch. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – abstain, Poch – yes.

- December 18, 2006 – Regular Meeting

A motion to approve the December 18, 2006 regular meeting minutes was offered by Council President Poch. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – abstain, Poch – yes.

REPORTS:

- Emergency Management – Councilman Dempster stated he has submitted the Borough's OEM plan to the County and it is currently under review.
- Millstone Valley Fire Department – Mayor Heck reported there were no incidents since the last report.
- Tax Collection – Tax Collector Wynn presented her 2006 report
- Finance – CFO Della Pia submitted his monthly report.

COUNCIL REPORTS:

- Buildings and Grounds – Councilwoman Lucash reported that repairs to the Borough Hall continue as crews are in the process of repairing the roof.
- Planning Board – Councilwoman Halm reported there was no December Planning Board meeting.
- Traffic and Roads – no report.

MAYOR'S REPORT

Mayor Heck thanked Mayor Mary Patrick for her service to the community and stated he is looking forward to working with the Millstone Borough Council.

MEETING OPEN TO THE PUBLIC:

- Motion to Open the Meeting to the Public

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A motion to open the meeting to the public at 8:46 PM was offered by Councilwoman Halm. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

Wayne Smerdon stated that he would like to have the State Police patrol the Borough while residents are away at work during the day. HE also reported some street lights that were inoperable.

Mayor Heck stated he has reported inoperable street lights to PSEG and the issue seems to be that there are different types of housing.

Wayne Smerdon also stated that he would like to hear some ideas for the website. Mayor Heck stated he would speak with Wayne.

- Motion to Close the Meeting to the Public

A motion to close the public portion of the meeting at 8:50 PM was offered by Councilwoman Halm. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

NEW BUSINESS:

Council President Poch asked Councilman Dempster about the status of the Borough Hall well. Councilman Dempster responded that he has been speaking with NJ American Water Co. about obtaining “city water” and capping and closing the well.

Council President Poch also commended Mayor Mary Patrick and former Councilman Rod Angle for their service to the community.

Councilman Hewitt stated that in addition to Ms. Patrick and Mr. Angle the Millstone Borough Council should recognize the long time service of Portia Orton.

The Millstone Borough Council discussed the concept of having a Fall Annual Community Festival. This matter will be discussed at a future meeting.

OLD BUSINESS:

Attorney Offen reported on a recent meeting with NJ Green Acres on December 20, 2006. He stated that the DEP would like to purchase the entire Rzem tract but they want an assurance that COAH will not require the land to satisfy the Borough’s needs. The DEP also wants appraisals on the property.

Attorney Offen also reported on a November 30, 2006 letter to the Borough and stated that the Planning Board is working on resolving the issues posed in that letter.

Attorney Offen stated that he, Mayor Heck and Council President Poch will meet with COAH and Rzem this month as part of the COAH mediation.

Councilman Hewitt asked about the status of the borough’s stormwater fines from the DEP. Attorney Offen reported the he have filed an appeal and we are waiting a response.

BOROUGH OF MILLSTONE
BOROUGH COUNCIL REORGANIZATION MEETING MINUTES
January 3, 2007

Councilman Hewitt asked who will define market value for the purchase of the Rzem property. Attorney Offen reported that appraisals will be conducted in accordance with DEP rules and a base market value will be determined by DEP.

PRESENTATION OF BILLS FOR PAYMENT:

A motion to approve the bills for payment was offered by Council President Poch. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

EXECUTIVE SESSION (if necessary):

A motion to enter executive session at 9:09 PM was offered by Council President Poch. Seconded by Councilwoman Lucash.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – 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;

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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Pending Litigation

When the matter is concluded.

ADJOURNMENT:

Upon return from executive session a motion to adjourn the regular meeting at 9:51 PM was offered by Councilwoman Lucash. Seconded by Councilman Dempster.

Roll Call: Dempster – yes, Halm – yes, Hewitt – yes, Lucash – yes, McCarthy – yes, Poch – yes.

Attested to:

Gregory J. Bonin, Millstone Borough Clerk