

# Borough of Rocky Hill

## Council Minutes

**December 20, 2004**

A regular meeting of the Rocky Hill Borough Council was called to order by Mayor Brian Nolan at 7:31 P.M. followed by the Pledge of Allegiance to the Flag of our Country and a moment of silent meditation. It was announced that this meeting has been advertised in the Somerset Messenger Gazette issue of December 6, 2003 in accordance with "The Open Public Meetings Act".

### **Roll Call:**

#### *Present*

- Mr. Richard Batchelder
- Mr. Martin Engelbrecht
- Ms. Connie Hallman
- Ms. Peggy Harris
- Mr. George Morren
- Mr. Edward Zimmerman

### **Minutes**

The minutes of the December 6, 2004 meeting of the Rocky Hill Borough Council were approved as presented with a motion by Mr. Zimmerman, second by Ms. Hallman. On a roll call vote all present voted aye.

### **Public Comment**

Nothing at this time.

### **Transfers in the 2004 Municipal Budget**

Mr. Batchelder moved by RESOLUTION, second by Mr. Morren the following transfers:

From account # 1133 Streets & Roads	\$ 8000.00
To account # 1118 Legal Exp.	6600.00
To account # 1801 Muni Ct Salaries	1400.00
To account # 1124 Planning exp.	15600.00
From account # 1114 Gem Adm Exp	5000.00
From account #1120	1900.00
From account # 1139 Sanitation Exp	6000.00
From account # 1135 Sidewalk Maint	1000.00
From account #1136 Sanitation garbage	\$ 1700.00

On a roll call vote all present voted aye.

### **Bill List**

Mr. Batchelder presented the following RESOLUTION:

WHEREAS THE TREASURER HAS CERTIFIED THAT SUFFICIENT FUNDS ARE AVAILABLE TO PAY SAID VOUCHERS: BE IT THEREFORE RESOLVED THAT THE FOLLOWING VOUCHERS BE APPROVED FOR PAYMENT. Second by Ms. Harris. On a roll call vote all present voted aye. See appendix #1 for the Bill List.

### **Special Business**

Before opening the Public Hearing on ORDINANCE 17-04, Mayor Nolan gave a brief history of the development of the Ordinance since April of 2004.

Mr. Albert Cruz, Special Borough Council Attorney stated the Rocky Hill Planning Board had reviewed the Ordinance and Master Plan and found them to be in order. He also said the Planning Board suggested some minor changes in the Ordinance and it was his opinion they were not substantive and Borough Council could proceed without republishing the Ordinance.

Mayor Nolan opened the Public Hearing on Ordinance 17-04 AN ORDINANCE CREATING AN AGE RESTRICTED/TRADITIONAL NEIGHBORHOOD DEVELOPMENT-R-1C ZONING DISTRICT.

Ms. Marge Yuschak asked about the scale of the illustrative drawing at the end of the Ordinance and was told it was just for illustration of what the site could look like and is not an engineered drawing of the site.

Mr. & Mrs. March, 29 Crescent Ave, Mr. Chet Czeslowski and Ms. Karen Wendell 21 Crescent Avenue expressed concern about a 10' set back from their property lines and asked why the open space was on the Princeton Avenue side of the development and not the Crescent Avenue side. It was explained the open space had always been planned for the Princeton Avenue view scape and at one time was proposed to be 275' set back not 150' as in the Ordinance. It was also said the units along the North side will probably be back more than 10' from the line and it was explained the developer must provide a landscape buffer between the development and existing properties.

Mr. Tom Roshetar, Planning Board Member, stated the planning board worked two years on the Master Plan and the Ordinance, as proposed, is not what he believes the planning board would like and suggested Borough Council not pass the Ordinance.

Ms. Susan Bristol, Chairman Planning Board, stated she is not happy with the Ordinance and feels it disregards the historic district of Rocky Hill, the scale of the homes is to large, age restricted is not good and there is no COAH obligation with this plan.

Mr. Muser said he agreed with Mr. Roshetar and Ms. Bristol.

Mr. George White stated set backs are relative and when people buy property they do not what may be developed next to them.

Mr. Cruz said the height of the building would be measured from existing grade.

Mr. March urged the Borough Council not to pass the Ordinance.

Mayor Nolan closed the Public Hearing and asked if Councilmembers had any questions.

Mr. Zimmerman said he felt the concern about the ten foot set back was over concern and if the developer wants to sell the units and would not put them to close to a property line because they probably would not sell.

Ms. Harris moved, second by Ms. Hallman to adopt in final form ORDINANCE 17-04 with the changes recommended by the Planning Board and the change of building height to be measured from existing grade. On a roll call vote all present voted aye.

Mr. Robert Morrison, Borough Auditor, told Councilmembers the books of the Borough were the best he had ever seen and Both Mr. Bobal, CFO and Ms. Griffiths, Tax Collector do an outstanding job. He suggested Borough Council consider purchasing new soft ware for the general ledger and tax collection. The Borough must begin to encumber items to be purchased.

Mr. Batchelder moved, second by Ms. Harris the RESOLUTION approving the 2003 audit. On a roll call vote all present voted aye. See appendix #2 for the resolution.

### **Communications**

They were discussed and ordered filed.

### **Unfinished Business**

After a brief discussion Mr. Morren moved, second by Ms. Hallman to adopt in final form ORDINANCE 15-04 an ordinance concerned with escrow fees of the Planning Board. On a roll call vote all present voted aye.

Mr. Batchelder moved by RESOLUTION, second by Ms. Harris to approve the Stormwater Management Plan of Rocky Hill. On a roll call vote all present voted aye.

### **Public Comment**

Ms Yuschak asked about sidewalk maintenance at her property and was told Mr. Tanner will be notified to check it out for possible repair next spring.

### **New Business**

Mr. Morren moved, second by Ms. Harris to go into Executive Session to discuss personnel matters. On a roll call vote all present voted aye. 9:40PM

Ms, Harris moved, second by Mr. Zimmerman to return to Public Session. On a roll call vote all present voted aye. 10:40PM

### **Recess the meeting**

Mr.Batchelder moved, second by Mr. Morren to recess the meeting. On a roll call vote all present voted aye. 10:41PM.

### **Resume Meeting of December 20, 2004**

Mayor Nolan called to order the resumed meeting of December 20, 2004 at 7:00PM January 3, 2005 followed by a the Pledge to our Country's Flag and a moment of silent meditation in memory of those lost in the recent earthquake and tidal waves in Asia.

### **Roll Call**

Present: Mr. Batchelder, Mr. Engelbrecht, Ms. Hallman, Ms. Harris, Mr. Morren, and Mr. Zimmerman.

### **Transfers in the 2004 Municipal Budget**

Mr. Batchelder moved by RESOLUTION, second by Ms. Hallman the following transfers. On a roll call vote all present voted aye.

To account #1134 Street Lights	\$ 200.00
From account #1129 Police Salaries	200.00
To account #1702 Soc. Sec. Stat.	912.00
To account #1503 Heating Oil	300.00
From account #1806 LOSAP	1212.00
To account # 1124 Planning Exp	2000.00
From account #1137 SBB Police Exp	1500.00
From account #1139 Sanitation	200.00

### **Cancellation Resolution 2004 Budget**

Mr. Batchelder moved the resolution, second by Ms. Hallman. On a roll call vote all present voted aye.

See appendix #3 for the Resolution.

Mayor Nolan thanked Councilmember Engelbrecht for his years of service to the Citizens of Rocky Hill and stated he came from a family of volunteers in Rocky Hill.

Mr. Engelbrecht thanked everyone for their support and he wished the Borough Council well in the future.

### **Adjournment**

Mr. Batchelder moved, second by Ms. Hallman to adjourn the meeting at 7:06PM. On a voice vote all present voted aye.



**Borough of Rocky Hill**  
**New Jersey**

December 20, 2004

EXECUTIVE SESSION

*Mayor*  
Brian A. Nolan

*Council President*  
Peggy Harris

*Council Members*  
Richard D. Batchelder  
Martin Engelbrecht  
Connie Hallman  
George E. B. Morren  
Ed Zimmerman

*Chief Financial Officer - Treasurer*  
G. Ross Bobal

*Tax Collector*  
Donna Griffiths

*Assessor*  
George Sopko

*Engineer*  
Neil I. Van Cleef

*Borough Magistrate*  
Eric Perkins

*Borough Clerk*  
Raymond E. Whitlock, Jr.

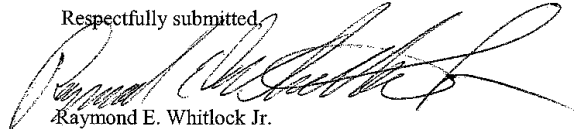
*Borough Attorney*  
John D. Rankin

*Prosecutor*  
Christopher "Kip" Bateman

The meeting was attended by Mayor Nolan, Councilmembers Batchelder, Engelbrecht, Hallman, Harris, Morren, Zimmerman, and Borough Clerk Raymond E. Whitlock Jr.

Mayor Nolan discussed at length with Councilmembers proposed changes of Professional personnel used by Rocky Hill Borough.

Respectfully submitted,



Raymond E. Whitlock Jr.

All bills and communications should be sent to  
Raymond E. Whitlock, Jr. - Borough Clerk  
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