

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
May 5, 2008**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:30 PM followed by the salute to the Flag. A moment of silent meditation was observed in memory of resident, Mark Nicholson. Wishes were extended to former Mayor Anthony Bianculli for a speedy recovery.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The following statement was read into the record by Mayor Zimmerman: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings advertised in the December 7, 2007, edition of the Courier News and transmitted to the Somerset Spectator. Notice has been posted accordingly and a copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Jim Banks-present, Ms. Linda Goldman-present, Mr. Brian Griner-present, Ms. Julia Hasser-present, Ms. Courtney White-present.

Absent: Mr. William Hallman

Also present: Borough Attorney Albert Cruz, Borough Engineer William Tanner, Chief Financial Officer G. Ross Bobal, Deputy Clerk Raymond Whitlock

MAYOR'S COMMENTS

- Mayor Zimmerman reported on a recently attended meeting with the Superintendent of County Schools. A meeting will be held with the Rocky Hill and Millstone School Boards to discuss possible consolidation.
- Mayor Zimmerman reported on a COAH meeting held last week in which he attended along with Planning Board Attorney Valerie Kimson.

APPROVAL OF MINUTES

Regular Meeting Minutes – April 21, 2008 - Motion was made by Goldman with a second by Griner for the approval of the minutes as presented. Motion carried on roll call vote - all ayes; Banks, Hasser-abstain.

REQUEST OF COUNCIL FOR NEW OR OLD BUSINESS (NOT ON AGENDA)

New Business – Request for Use of Panicaro Park – First Reformed Church;
Wall St. maintenance refuse (clippings)

PUBLIC COMMENTS

Cliff Moore, resident, was provided with information regarding the school board consolidation discussion.

Hearing no other comments/questions, the floor was closed to the public.

STATE POLICE REPORT

No report at this time.

ENGINEER’S REPORT

Report dated May 5, 2008 for April 2008 was received and distributed (copy on file in the Borough Clerk’s Office). The following items were discussed:

County Park Project – The restrooms are completed with the exception of the water test; the park shelter building permit has been issued; the shelter should be completed within three weeks; miscellaneous equipment is being installed; Engineer Tanner will be doing a walk around tomorrow to set the dog bag stations and mile markers. It is anticipated that all of the projects should be completed by June 1st. Additional seeding needs to be done on one of the softball fields which will require funds in the amount of \$369.82 from the Borough (20% share) for the materials. Montgomery Township will bill the Borough for our cost of the labor provided by them. Motion was made by Banks with a second by Goldman authorizing the expenditure of funds in the amount of \$369.82 for this purpose. Motion carried on roll call vote – all ayes.

Trails Grant for Van Horne Park – Engineer Tanner reported that an Eagle Scout is currently working on a project to build a kiosk/bulletin board structure for the Park. A plan will be submitted to Engineer Tanner for review.

NJDOT Opportunities – It was agreed to include the following projects in this year's project request: Hickory Court repaving, Montgomery Ave. repaving (top end), Reeve Rd. repaving. Funds will also be requested for the sidewalk program with the Borough offering a \$40,000.00 match; submission will be made for the Van Horne Park Bike Path which will be filed jointly with Montgomery Township. Engineer Tanner will follow-up on a pedestrian safety improvements grant that is being offered through the NJDOT. Clerk Griffiths will follow up on obtaining access to the DCA SAGE grant website.

Lawn Mowing Services/Resolution 2008-34 – Quotes were re-solicited for Borough Lawn Service (Section A) and resulted in the receipt of three quotes as follows:
Greenscapes Services, Ringoes NJ –\$15,225.00;
John Kessler, Monmouth Junction, NJ - \$7,906.00;
L. Robotti Lawn & Landscaping Services, Hopewell, NJ - \$11,350.00
Motion was made by Hasser with a second by Banks for the award of the contract to John Kessler in the amount of \$7,906.00 along with approval of Resolution 2008-34. Motion carried on roll call vote – all ayes.

2007 Sidewalk Project – Engineer Tanner advised that this project has been completed with the cost of the project totaling approximately \$31,000.00. CFO Bobal advised that the remaining \$9,000.00 (\$40,000.00 appropriated) can be used for the 2008 sidewalk project thus reducing the estimated 2008 cost of \$40,000.00.

Leaf Collection – Engineer Tanner recommended that consideration should be given as to how the leaf collection project will be handled this season. The County has indicated that they could assist in the leaf pickup, however, they do not have vacuum equipment for picking up the leaves. They are willing to provide bags for pick-up if the Borough is interested in handling the pickup in this manner. Suggestion was made to contact Hopewell Borough and Branchburg Township for a possible shared service for this project since they do have the vacuum equipment.

Council comments:

Council member White requested that caution tape be placed around the park shelter equipment until the materials are used. Complaint was received from a Montgomery Township resident regarding drainage issues at the park. The complainant, Deanna Stockton, may be contacting Karen Zimmerman of Montgomery Township directly.

Other – Engineer Tanner will make contact with Wall St. and request that they remove the grass clippings that have been dumped in the area of Knoll Way.

Public comments:

Cliff Moore, resident, questioned whether there is a target date for resurfacing the roadway to the Green Acres property. A photograph of the potholes on the portion of the roadway leading to the park was provided. It was the consensus that the potholes should be filled in and flattened out. Engineer Tanner will follow up with obtaining a cost estimate from the County for filling the holes with stone. Mr. Moore suggested that the Borough also consider sectioning off a parking area with railroad ties.

There were no other comments/questions from members of the public.

CHIEF FINANCIAL OFFICER’S REPORT

Cash receipts and temporary budget expenditures report through 4/30/08 was provided by CFO Bobal. Escrow account balance report as of 5/3/08 was provided. It was noted that there is a deficit in the Schafer /Pulte escrow account which has been related to the Planning Board Attorney. A copy of the escrow report will be provided by CFO Bobal to the Planning Board Chairman. It was noted that there are several accounts with balances that should be refunded to applicants due to the finalization of their applications. Motion was made by Griner with a second by Hasser for the acceptance of the reports. Motion carried on roll call vote – all ayes.

APPROVAL OF VOUCHERS TO BE PAID

Bill list dated 5/5/08 was distributed. Motion was made by Hasser with a second by Goldman for the approval of the bill list as presented. Motion carried on roll call vote – all ayes.

SPECIAL BUSINESS

Introduction – Ordinance #2, 2008 – “AN ORDINANCE TO AMEND CHAPTER 56: ANIMALS, ARTICLE I: DOGS AND ARTICLE III: CATS TO INCREASE LICENSE FEES AND INSTITUTE NEW LATE FEE SCHEDULE.” - The ordinance as filed in the Borough Clerk’s Office was read by title. Upon review of the ordinance, Attorney Cruz and Borough Clerk recommended that the fee for un-neutered/un-spayed animals be reduced to \$3.00 in keeping with State statute. In response to questioning by Ms. Hasser as to the basis for the proposed increase in late fees, Council member Goldman related that the Board of Health has expressed concern with the increase in rabies incidents throughout Somerset County and would like to ensure that pets are vaccinated and licensed accordingly. As suggested, it is anticipated that an annual mailing will be sent to residents as a reminder to renew their pet licenses. Motion was made by Hasser with a second by Banks for the introduction of the ordinance with the change in the un-neutered/un-spayed fee. Public hearing is scheduled for May 19, 2008, at 7:30 PM.

UNFINISHED BUSINESS:

Discussion – Code Revisions – Mayor Zimmeman requested that comments be provided to Council member as previously requested on the code revisions by the end of the week so that comments/changes may be discussed at the next Council meeting.

COAH Update – Mayor Zimmerman reported on the meeting he attended last week regarding the proposed third round COAH rules soon to be adopted. It has been found that the vacant land analysis used by COAH in calculating the new obligations has been found to be flawed. It was noted that the Borough's

data is inaccurate in that the Borough's well site, library, and portions of lawn at the industrial site have been included in COAH's analysis. Planner Susan Kimball has advised that the Borough's obligation is consistent with what the Borough anticipated. It was noted that the increased obligations imposed upon municipalities may be subject to challenge by the municipalities.

Motorcycle Awareness Month Banner – The banner as discussed at the last meeting was displayed. Request is being made by the ABATE program for hanging the banner in observance of motorcycle awareness month. It was noted that there is a private advertisement endorsement on the banner. Motion was made by Griner authorizing the hanging of the banner in the Borough. Motion failed to carry due to the lack of a second. No action to be taken.

NEW BUSINESS:

Request for Use of Panicaro Park – The First Reformed Church requested the use of Panicaro Park on June 8, 2008 from 12:00 to 3:30 PM. A certificate of insurance has been requested from the insurance company. Motion was made by Goldman with a second by Hasser approving the request contingent upon receipt of insurance certification. Motion carried on roll call vote – all ayes; Banks-abstain.

COMMUNICATIONS:

Communications as listed on the agenda were disseminated and/or ordered filed.

FINAL PUBLIC COMMENT

The floor was opened to the public for comments/questions. Hearing none, the floor was closed.

ADJOURNMENT:

Motion to adjourn the meeting at 9:00 PM was made by Griner with a second by Banks. All voted in favor of adjournment.

Respectfully submitted:

Donna M. Griffiths, RMC
Borough Clerk