

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
March 3, 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.

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. William Hallman-present, Ms. Julia Hasser-present, Ms. Courtney White-present.

Late Attendance: Mr. Brian Griner (7:40PM during Engineer's Report)

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

MAYOR'S COMMENTS

Mayor Zimmerman reported on the recently attended Mayor's Roundtable meeting. A citizens' guide of Somerset County services was provided and is available in the Clerk's Office. Discussion ensued at the meeting regarding the new proposed third round COAH rules. The County will be adopting a resolution opposing the new rules. Grant information obtained was forwarded to Council member Hallman. The County was asked about their availability for a shared service for leaf pick-up, however, they have responded that they are not able to provide this service.

APPROVAL OF MINUTES

Special Meeting Minutes – February 18, 2008 – Motion was made by Goldman with a second by White to approve the minutes contingent upon minor correction to the roll call. Motion carried on roll call vote – all ayes.

Regular Meeting Minutes - February 20, 2008 - Motion was made by Hasser with a second by Goldman for the approval of the minutes as presented. Motion carried on roll call vote - all ayes.

Executive Session Minutes – February 20, 2008 – Motion was made by White with a second by Hasser for the approval of the minutes as presented. Motion carried on roll call vote – all ayes.

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

None presented.

PUBLIC COMMENTS

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

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STATE POLICE REPORT

No report at this time. Councilman Hallman will request a copy of the accident report taken by the NJSP relating to the damaged hydrant on Merritt Lane.

ENGINEER'S REPORT

Report dated February 29, 2008 for February was received and distributed (copy on file in the Borough Clerk's Office). The following items were discussed:

County Park Project – The Park Shelter was bid and the low bidder was John Kalogridis. The total cost of the shelter is \$64,000.00 (\$12,800.00 Rocky Hill share). The award of the contract will cost the Borough an additional \$880.00 which will be covered by the contingency in the Estimate for the Phase II Park Costs of \$11,644.00 per Engineer Tanner. The bids for the last phase of the miscellaneous equipment installations will be opened this week. The park is expected to open in April. The garbage cans will be drilled to alleviate the problem with standing water and arrangements will be made to get ARC on board to do regular emptying of the trash which should also help in alleviating the problem. The metal rods as brought up at the last meeting have been removed. A post and rail barrier is being considered for across the parking lot. Fertilizing and lawn mowing needs have to be addressed for the year. Consideration will be given to either bidding out the jobs or hiring through Montgomery Township staff.

Trails Grant for Van Horne Park - Consideration is being given to combining our grant with Montgomery's grant to pave more of the paths in the park. The grant request submitted for a bike path behind Borough Hall and at the park has been denied.

Sidewalk Repair/Replacement Project – The contractor is expected to start Phase I of the sidewalk project on March 15, 2008. Residents affected by the project will be notified ahead of time.

Council comments:

Council member White requested consideration for a gate at the Princeton Ave. ~~access~~ *parking lot* of Van Horne Park. In response to questioning by Council member Goldman, Engineer Tanner advised that signs will be installed advising of the hours of operation of the park and the leash law. Engineer Tanner advised that efforts are being made to avoid constructing a wall in the historic district portion of the Washington Street sidewalks. The residents affected will be consulted with in order to determine feasible routes. Mayor and Council will be provided with a sketch of the plan for approval. As requested by Mayor Zimmerman, Engineer Tanner will follow-up with PSE&G on the status of the new wires (due to leakage) along Washington St.

Public comments:

Peggy Merritt, resident - Engineer Tanner will follow-up on the issue of overgrowth impeding sight distance at the entrance of Van Horne Park.

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

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CHIEF FINANCIAL OFFICER'S REPORT

Temporary Budget Expenditures as of 3/2/08 and Cash Receipts as of 3/2/08 were provided by CFO Bobal. A temporary emergency appropriations budget resolution will be prepared by CFO Bobal for approval at the next meeting. Mayor Zimmerman advised that the 2008 budget was scheduled to be introduced, however, due to the proposed cuts in State aid to the Borough, our proposed budget will need to be re-examined. Motion was made by Hallman with a second by Banks for the acceptance of the reports as submitted. Motion carried on roll call vote - all ayes.

APPROVAL OF VOUCHERS TO BE PAID

Bill list dated 3/3/08 was provided. Deputy Clerk Whitlock advised that check #5016 to Diamond Construction has been voided from the bill list as it was issued in error. Motion was made by Hallman with a second by Banks for the approval of the bill list as corrected. Motion carried on roll call vote – all ayes.

SPECIAL BUSINESS

Rocky Hill Hook and Ladder Fire Department - Annual Report/Fire Truck Presentation

Chief Todd Harris appeared before Mayor and Council. Chief Harris provided an annual report presentation for 2007. The department has approximately 23 active members. They responded to 172 emergency responses - 45 runs within the Borough and the remainder of responses assisting Montgomery, Franklin, Princeton, and Hopewell Townships. An average of six firefighters responded per call. There have been 41 emergency responses to date in 2008. An overview of the department's training was provided along with the grants that have been applied for and received by the department (over \$169,000 over time). The fire department is currently working on an up-to-date website.

Chief Harris provided an overview of the fire truck apparatus and justification for the need of a new truck as previously presented. Bid specifications were provided for the new truck. The cost is estimated at \$360,000.00. It was noted that the ordinance providing for the expenditure of funds was adopted by Council in 2007. Discussion ensued regarding the time frame for expected delivery and funding mechanisms that would need to be put in place for payment of the truck. Chief Harris advised that there is an anticipated 9-11 month delivery time frame from the time of the award of the bid. In response to questioning by Council, Chief Harris indicated that the truck will be adequately equipped for the needs of the department and the life expectancy of the new truck is 25 years. Council member Hallman requested to meet with Chief Harris and members of the Rescue Squad to further explore available FEMA grants. The bid specifications were provided to the Borough Clerk and Borough Attorney for disposition. Appreciation was extended to the fire department for all of their efforts.

Public Hearing – Ordinance #1, 2008 – “An Ordinance Adopting a Codification and Revision of the Ordinances of the Borough of Rocky Hill, County of Somerset, State of New Jersey, providing for the maintenance of said code; repealing and saving from repeal certain ordinances not included therein; establishing a penalty for altering or tampering with the code; and making certain changes in previously adopted ordinances “as filed in the Borough Clerk’s office was read by title. The floor was opened to the public for comments/questions. Hearing none, the floor was closed. Motion was made by Goldman with a second by Hasser for the adoption of the ordinance. Motion carried on roll call vote – all ayes.

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Resolution 2008- 25 - Resolution of Support - Truck Traffic

Resolution of Support Requesting New State Regulations to Permit Local Police to Enforce New Trucking Regulations and the Creation of Financial Incentives to Off-Set the Impact of New Toll Hikes was presented. Motion was made by Hallman with a second by Banks for the adoption of the resolution. Motion carried on roll call vote - all ayes. Copy of the adopted resolution of support will be forwarded to the Township of Hopewell, Mercer County.

COMPLETION OF COMMITTEE REPORTS:

Administration & Records – Council member Goldman provided an update on the PARIS grant project. Clerk Griffiths attended a meeting at the County last meeting and the purging project should be completed by the end of the year. The County will be sending out Requests for Proposals for the County appointed SWAT team. Towns are afforded the opportunity of utilizing the SWAT team, doing their own in-house purging project, or a combination of both. It was recommended by Council member Goldman and Clerk Griffiths to take advantage of the trained SWAT team for the project as long as the project is done in a timely manner. Consideration will be given to doing an in-house project if the Borough is not scheduled early on in the County process. The County will reimburse all municipalities for the expenses incurred with the project; continued work is being done on updating the code book and website.

Buildings & Grounds – Council member Banks is in the process of scheduling a presentation by Verizon for an in-house phone system. A coded key system for the Borough Hall will be researched.

Finance & Insurance – Council member Hasser will be meeting with representatives of the Borough's insurance company in regard to the Borough's premiums. Additionally, a review of the Borough's expenditures is being done. Mayor Zimmerman and Council member Banks will attend a meeting being held on Thursday regarding the Governor's proposed cut in state aid.

Public Safety & Emergency Services – Clerk Griffiths will follow-up on the status of the Constables' equipment order at the request of Council member Hallman.

Streets & Roads – Council member White reported that there are four good pedestrian traffic signs left over from last year. Potholes have been repaired as reported on Princeton and Montgomery Avenues and Borough Hall. Request was received from the Community Group to hold the annual Egg Hunt on the Borough Hall grounds on 3/22/08 at 11:00 AM. Motion was made by Hasser with a second by Banks authorizing the use of the Borough grounds. Motion carried on roll call vote - all ayes; White-abstain.

Water, Sewer & Environmental Protection – No report at this time.

Council Representative to Planning Board – Mayor Zimmerman has requested the Borough Planner to prepare a report on the Borough's new COAH obligation under the new third round rules for review by the Planning Board at their 3/22/08 meeting. This issue will be further addressed by Council at the 3/17/08 meeting.

Council Representative to School Board – No report at this time.

Council Representative to Board of Health – Council member Goldman will attend the meeting held tomorrow due to Council member Hallman's unavailability.

Zoning Official's Report – Zoning Officer Whitlock expressed his appreciation to Engineer Tanner for filling in as Zoning Officer during his vacation; an application from Joseph Donato, proposed house on Washington St., is scheduled to be heard by the Planning Board

Grants Committee – addressed earlier in the meeting.

UNFINISHED BUSINESS:

None at this time.

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NEW BUSINESS:

Discussion - Proposed Cuts in State Aid - Mayor Zimmerman reported of the Governor's plan for reducing and cutting state aid to municipalities in the proposed 2008/2009 budget proposal. The Governor's plan will result in part in the loss of state aid to the Borough due to the fact that the population is less than 5,000. The intent of the cuts by the Governor is to encourage the merger of municipalities. Additionally, a charge for State Police coverage is also being contemplated. The effect of the proposal would result in the loss of \$115,000 of state aid and a cost of approximately \$80,000 for State Police coverage by the Borough. Mayor Zimmerman has provided a letter of opposition to the proposed state aid cuts which has been posted on the New Jersey League of Municipalities' website. A meeting is in the process of being scheduled with the Governor, representatives of the NJLM, Mayor Zimmerman, and the Mayor of Hope Township.

Discussion ensued regarding the potential tax increase that may be incurred by the residents of the Borough based on the aid cuts, an approximate 35% tax increase, and the feasibility of merging municipalities. It was the consensus of Council that the Borough needs to voice their opposition to this proposal. It was noted that the Borough has continued to carry out initiatives of sharing most of the Borough's services. The Borough has been able to provide adequate services to its residents based on the help provided by the volunteers of this community along with the use of shared services. Mayor Zimmerman and Borough Clerk Griffiths were requested to compile statistics on the amount of residents that continue to serve as volunteers for the Borough.

Mayor Zimmerman will continue his efforts in opposing the Governor's proposal. Contact information of our local legislators will be put on the Borough's website to aid the residents in voicing their opposition. Consideration will be given to holding a Town Hall meeting.

COMMUNICATIONS:

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

- Letter dated 3/3/08 from the Mayors of Spotswood, Jamesburg, Milltown, and Helmetta opposing the Governor's budget proposal was received and distributed.
- Information on the US Bicycling Hall of Fame race to be held on 5/24/08 will be posted on the Borough's website.

FINAL PUBLIC COMMENT

Peggy Harris, resident - Ms. Harris stated that the Borough was one of the first to participate in the shared services program and has continued this plan for many years without any incentive or reward program having been given by the State. She urged that the State should be reminded of the efforts put forth by the Borough.

Hearing no comments/questions, the floor was closed.

EXECUTIVE SESSION - RESOLUTION 2008 – 26 - TO RETIRE INTO EXECUTIVE SESSION

The executive session resolution was read into the record by Borough Clerk Griffiths. The purpose of the session is as follows: Litigation - Rocky Hill Citizens for Responsible Growth v. Borough of Rocky Hill, et als. and Contract Negotiations – Police Services. Motion was made by Hallman with a second by Hasser for the adoption of the resolution. Motion carried on roll call vote - all ayes. (9:25PM)

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RESULTS OF EXECUTIVE SESSION (IF ANY)

The results of the executive session were not available to the public at this time.

ADJOURNMENT:

Motion to adjourn the meeting at 9:50 PM was made by White with a second by Griner.
All voted in favor of adjournment.

Respectfully submitted:

Donna M. Griffiths, RMC
Borough Clerk