

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
April 7, 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, Mr. Brian Griner-present, Ms. Linda Goldman-present, Mr. William Hallman-present, Ms. Julia Hasser-present, Ms. Courtney White-present.

Also present: Deputy Clerk Raymond Whitlock Jr., Borough Attorney Albert Cruz, Engineer William Tanner, CFO Ross Bobal, RMA Bob Morrison

MAYOR'S COMMENTS

- Mayor Zimmerman introduced the representatives of South Bound Brook who were present for the official signing of the renewed police contract.
- Handwritten note dated 4/3/08 was received by Assemblywoman Denise Coyle thanking the Mayor for the petition that was circulated in response to the proposed state aid cuts by the Governor. Appreciation was further extended by all to Linda Goldman and Peggy Harris for their efforts in developing and circulating the petitions.
- Mayor Zimmerman noted that there will be 33.8 cents increase in the school board budget for 2008/09; a 20.5% increase over last year's budget due to a significant increase in enrollment.
- The first phase of the sidewalk project is near completion.
- As a result of the County Route 518 Work Group Report, Mayor Zimmerman noted that the County has begun to consolidate signs throughout the Borough.

**OFFICIAL SIGNING OF SOUTH BOUND BROOK POLICE SERVICES CONTRACT -
MAYOR ZIMMERMAN/MAYOR WARRELMANN**

Mayor Warrelmann and Borough Clerk Don Kazar joined Mayor Zimmerman and Borough Clerk Donna Griffiths on the dais for the official signing of the South Bound Brook Police Services Contract effective April 1, 2008 through March 31, 2008. Also present on behalf of South Bound Brook was Council Member/Police Commissioner Bob Alenovitch and Officer-in-Charge Lieutenant William King.

APPROVAL OF MINUTES

Regular Meeting Minutes – March 17, 2008 – Motion was made by Goldman with a second by Hasser to approve the minutes with the recommendation to add the name "Eric" to "Carl Hintz" on page 3. Motion carried on roll call vote – all ayes.

Executive Session Meeting Minutes – March 17, 2008 - Motion was made by Hallman with a second by Hasser to approve the minutes and release same into the open session minutes upon recommendation by Attorney Cruz. Motion carried on roll call vote - all ayes.

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

Special Business: Resolution - Temporary Emergency Appropriation - Water and Sewer; Review and Approval of Corrective Action Plan for Annual Audit 2006.

New Business: Review of letter dated 4/7/08 from Auditor Morrison, Re: 2008 Budget; Request for use of Borough grounds by Community Group for Earth Day Clean-up; Shade Tree Plantings

Unfinished Business: Fire Truck

PUBLIC COMMENT

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

NEW JERSEY STATE POLICE REPORT

Councilman Hallman advised that a copy of the accident report for the fire hydrant that was damaged will be dropped off by NJSP to the Borough Clerk. No report at this time.

ENGINEER'S REPORT

Reported dated 4/4/08 for March 2008 as submitted by Engineer Tanner was distributed (copy placed on file in the Borough Clerk's Office).

County Park Project - The park shelter has not arrived to date; Engineer Tanner will follow-up on the status. A contract has been awarded to York Fence Company; fence should be installed on or about 4/5/08. Montgomery Township is offering for the park trash to be put in their bins at their municipal building which would cost less than building a pad. ARC would be responsible for transporting it to Montgomery. Engineer Tanner will follow-up with Montgomery as to whether they would be willing to have the Borough pay them for an employee to do it, and he will contact ARC for a price. Contract for Park Trash Pick-up/Restroom Cleaning was distributed; no action taken at this time until a decision is made on how the trash will be removed. Fertilization contract was received from TruGreen (County Co-op) in the amount of \$3240.00 for six treatments. Discussion ensued as to whether it is necessary to have six treatments. Engineer Tanner will seek input from Rutgers University as to what an adequate amount of treatments would be and he will follow up with Montgomery Township. Discussion also ensued regarding fertilizing/weed control treatments for the soccer fields behind Borough Hall and around the building. It was noted that the fields have not been fertilized in the past. Council member Hasser questioned whether new projects should be done in light of the uncertainty of the budget due to the State aid cuts. It was agreed that Engineer Tanner would request a price quote and discussion would continue after receipt of same. Engineer Tanner will have the problem with the finials on the gazebo taken care of.

NJDOT Grants - NJDOT Local Aid applications have been received. It was agreed that a request should be submitted for the portion of Washington St. sidewalks (at the west end of town) that are not included in the most recent grant received. Engineer Tanner suggested that the Borough consider a matching fund option when applying for the grant which could aid in the award of the grant. It was agreed to offer a match of funding for the Washington St. sidewalks in light of the fact that the Borough has approved the expenditure of \$40,000 for the Phase II sidewalk project. The repaving of Hickory Court will also be requested again.

County Road Striping - Council member White will check with the County as to options for striping/lining using more reflective materials near the crosswalk on Washington St. and on Montgomery Ave. down towards Merritt Lane.

All Hazards Planning - Somerset County - A copy of the draft plan was received and provided to Council member Hallman (Public Safety) for review.

Sidewalks - The Phase I sidewalk project has been completed.

Other -

Council member Griner noted that there has been a lot of trash around Washington Knoll. Mayor Zimmerman will contact the owner of the shopping center to see if the problem is as a result of open trash dumpsters on their property.

Public Comments:

Peggy Harris, resident, was advised that benches for VanHorne Park should be assembled and placed soon in the area of the playground.

CHIEF FINANCIAL OFFICER'S REPORT

Cash receipts and Temporary Budget Expenditures reports as of 4/3/08 were received from CFO Bobal and distributed. Motion was made by Griner with a second by Banks to accept the reports. Motion carried on roll call vote - all ayes.

Resolution 2008-31 - Temporary Appropriations - Water/Sewer - CFO Bobal advised that the resolution allows for the addition of a line item in the utilities budget for a deferred charge by Montgomery Sewer for last year in the amount of \$10,977.00. The charge has been reviewed by Auditor Morrison. Motion was made by Hasser with a second by Griner approving the resolution. Motion carried on roll call vote - all ayes.

Corrective Action Plan for audit period ending 12/31/06 as prepared by CFO Bobal dated 4/3/08 and received on this date was distributed. The plan addresses the two recommendations outlined in the Audit Report for 2006 prepared by RMA Morrison pertaining to business registration certificates and collection of developer escrow fees. Discussion ensued regarding the process to be followed in collecting developer escrow fees due to the fact that this has been a recurring non-compliance issue in the audit. It was agreed that the Planning Board needs to be apprised of escrow account balances in order to ensure that there are sufficient funds available before authorizing review work by the Board's professionals. Motion was made by Hallman with a second by Goldman confirming the following: a monthly report of individual escrow accounts will be provided to the Planning Board by the Chief Financial Officer which will reflect each individual escrow account balance. The Planning Board will develop a procedure for notifying applicants of deficient balances and the need for replenishment of funds prior to authorizing review work on applications. Motion carried on roll call vote - all ayes. RMA Morrison agreed that this process should help in resolving the issue. Motion was made by Banks with a second by Hasser for the acceptance of the corrective action plan. Motion carried on roll call vote - all ayes.

2008 Budget Memorandum - Auditor Morrison was present and provided an overview of his memorandum dated 4/7/08 (copies distributed) regarding the 2008 budget. Auditor Morrison addressed the proposed State aid cuts, the allowable increases in the budget according to State guidelines, the funding of authorized debt, and the long term effect on the Borough's financial status by not raising property taxes when permitted to do so. Auditor Morrison recommended that the budget not be introduced until the State's budget is adopted.

APPROVAL OF VOUCHERS TO BE PAID

Motion was made by Goldman with a second by Hasser for the approval of the bill list as presented. Motion carried on roll call vote - all ayes.

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SPECIAL BUSINESS:

Resolution - Temporary Emergency Appropriation - addressed under CFO's report
Corrective Action Plan - addressed under CFO's report

UNFINISHED BUSINESS:

Fire Truck - Councilman Hallman advised that a meeting was held with the Fire Chief, Mayor Zimmerman, Councilman Banks and himself in regard to the application for a FEMA grant. Mr. Hallman advised that upon reviewing the application guidelines, the Borough may not be able to meet the financial need requirements for the federal funding award and a significant financial benefit may not be realized due to the costs associated with filing the application and the anticipated price increase that will be incurred by not ordering the truck in a timely manner. Motion was made by Hasser with a second by Banks authorizing the release of the bids with a return date of April 30, 2008, at 4:00 PM, with possible award by June 29, 2008. Motion carried on roll call vote - all ayes.

NEW BUSINESS:

Proposal for Street Sweeping - Deputy Clerk Whitlock advised that a quote was received from Riley Street Sweeping for \$1530.00. He further advised that the Borough can enter into an interlocal agreement with the County for the street sweeping service at a cost of \$143.00/hour. Motion was made by Griner with a second by Goldman approving an interlocal services agreement with the County at the rate of \$143.00/hr. (not to exceed eight hours) for a maximum total of \$1100.00. Motion carried on roll call vote - all ayes.

Discussion - Resolution of Support - State Police Charges - A draft resolution of support was received by the New Jersey League of Municipalities endorsing an increase in State Police surcharges to fund State budget shortfalls in lieu of reliance upon local property tax increases. It was the consensus that the Borough should adopt this resolution with minor amendments. Motion was made by Goldman with a second by Hasser to approve the amended resolution. Motion carried on roll call vote - all ayes.

Use of Borough Grounds - Earth Day - Letter dated 4/7/08 from Marj Yuschak of the Rocky Hill Community Group was received requesting the use of Borough Hall grounds for the Earth Day Clean-up event scheduled for 4/19/08 at 10:00 AM. Motion was made by Banks with a second by Griner approving the request. Motion carried on roll call vote -all ayes.

Shade Tree Plantings - Councilman Banks advised that the Shade Tree Commission will be soliciting donations for the flower pot plantings. Help will also be solicited for the planting and maintenance of the pots.

COMMUNICATIONS:

Communications as listed was distributed, disseminated and filed accordingly. Additional correspondence was received as follows:

- Letter dated 4/4/08 from the Board of Public Utilities, Re: Petition for Certification by Verizon Inc., was received and distributed. The BPU advises of the requirement of the increase in franchise fees to be paid to the Borough and the State by Comcast of Central NJ d/b/a Patriot Media in the event of the granting of the petition by the BPU. It was noted that Comcast/Patriot Media is currently paying a 2% of gross revenues annual franchise fee which would increase to 3.5%.
- New service information was received from Comcast.

FINAL PUBLIC COMMENT

Peggy Harris, resident, was advised that the Borough has received a \$4,000 Clean Communities Grant which is used for street sweeping or garbage services. Ms. Harris suggested that the trees around Borough Hall be re-mulched. It was also noted that a tree out front of Borough Hall appears to be rotted and should be looked at. Ms. Harris noted that pots that were placed throughout town were done as part of the traffic calming study and the cost for plantings is minimal. Council member Banks will forward these comments and concerns on to the Shade Tree Commission.

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

ADJOURNMENT:

Motion to adjourn the meeting at 10:00 PM was made by Griner with a second by Goldman. All voted in favor of adjournment.

Respectfully submitted:

Donna M. Griffiths, RMC
Borough Clerk