

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
Reorganization/Regular Meeting  
January 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. A moment of silence was observed in memory of William Geoghan, former Borough Clerk and resident of the Borough.

**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 of January 7, 2008, was included in a list of meetings advertised in the December 9, 2007, edition of the Courier News and transmitted to the Somerset Spectator. Notice has been posted on the bulletin board in the Borough Hall, Rocky Hill Post Office, and Mary Jacobs Library and remains continuously posted as the required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

**OATH OF OFFICE TO ELECTED OFFICIALS**

James Banks, Council Member – 3 yr. term to expire 12/31/10 – Mr. Banks was administered the oath of office by Borough Clerk Donna Griffiths.

Linda Goldman, Council Member – 3 yr. term to expire 12/31/10 – Ms. Goldman was administered the oath of office by Borough Clerk Donna Griffiths.

**REMARKS BY REV. WILLIAM SCHUTTER**

Rev. Schutter, Pastor, First Reformed Church of Rocky Hill, extended a New Year message. Rev. Schutter extended his support of the governing body on behalf of the residents of the Borough of Rocky Hill.

**ROLL CALL ON ATTENDANCE**

Mr. Jim Banks-present, Mr. Brian Griner-present, Ms. Linda Goldman-present,  
Mr. William Hallman-present, Ms. Courtney White-present.

Also in attendance: Joseph Sordillo, Esq. (present on behalf of Attorney Cruz); William Tanner, Borough Engineer; Raymond Whitlock, Deputy Clerk

**NOMINATIONS FOR COUNCIL MEMBER VACANCY (UNEXPIRED TERM THROUGH 11/08)**

Mayor Zimmerman provided an overview of the process to be followed in filling the vacancy in keeping with past practice and as agreed to at the last Council meeting. Candidates for consideration were submitted as follows: Julia Hasser – submitted for consideration by Council member White; Peggy Merritt – submitted for consideration by Council member Griner. Letter dated 1/3/08 from Marguerite (Peggy) Merritt expressing interest in the vacancy was submitted to Borough Clerk Griffiths and marked as received 1/4/08.

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Julia Hasser appeared before Mayor and Council. Ms. Hasser distributed a profile of her education, employment history and involvement with the community. Ms. Hasser has been a resident for six and one half years, is a high school teacher, and has been a member of the Rocky Hill Planning Board for four years. Ms. Hasser expressed her willingness to further contribute to the community.

Peggy Merritt, appeared before Mayor and Council. Ms. Merritt provided an overview of her employment history and involvement with the community. Ms. Merritt is retired from the New Jersey State Police where she served as a stenographer and supervisor of secretarial staff. She was born and raised in the Borough. Ms. Merritt has served as a member of the Rocky Hill School Board, community group, and in other various volunteer capacities. Ms. Merritt advised that she was a candidate in the general election in November 2007 for a Council Member position and reaffirmed her continued interest in the position.

Council comments/questions:

Councilmember Griner questioned the impact of the appointment on the planning board membership. Mayor Zimmerman advised that appointments to the Board would be addressed after the selection process.

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

Council member Griner set forth nomination of Peggy Merritt with a second by Council member Banks. Roll call on the nomination: Banks-nay, Goldman-nay, Griner-aye, Hallman-nay, White-nay. Motion failed to carry.

Council member White set forth nomination of Julia Hasser with a second by Council member Goldman. Roll call on the nomination: Banks-aye, Goldman-aye, Griner-aye, Hallman-aye, White-aye. Motion carried.

**APPOINTMENT OF COUNCILMEMBER/OATH OF OFFICE**

Oath of office was administered to Julia Hasser as Council member by the Borough Clerk.

**COUNCIL REMARKS**

Councilman Hallman expressed his appreciation to Mayor Zimmerman and his wife, Randie, for the painting and remodeling of the meeting room. Thanks were again extended to Cliff Moore for the donation of the Green Acres picture that has been hung in the meeting room. Councilman Hallman noted that the historic quilt that was formerly hanging in the meeting room will be hung in the hallway away from sun exposure and unnecessary handling.

**NOMINATION OF COUNCIL PRESIDENT (ONE YEAR TERM THROUGH 12/31/08)**

Council member Jim Banks was nominated for the position by Councilmember Hallman with a second by Council member Goldman. Roll call: Banks-aye, Goldman-aye, Griner-aye, Hallman-aye, Hasser-abstain, White-aye. Motion carried.

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**MAYOR’S COMMENTS**

Mayor Zimmerman welcomed newcomers to the Borough while acknowledging the passing of long time residents, Lorraine Fehrer, Leonard Steinline, Dorothy Young, and Bill Geoghan. He expressed his desire for new ideas from Council for 2008 while reflecting on the accomplishments of 2007. Appreciation was extended to former Mayors of the Borough, specifically, Mayors Whitlock, Morren, and Bianculi, for their support during Mayor Zimmerman’s first year in office. Thanks were extended on behalf of Council to Borough Clerk Griffiths for her efforts throughout the year.

An overview of the year 2007 was summarized by the Mayor. Efforts put forth by all in handling the Nor’easter and flooding in April 2007 were acknowledged. The commitment of the Fire Department, Rescue Squad, Borough Constables, Council members and community during this time in need was praised. Accomplishments throughout the year were noted including, but not limited to: the First annual Rocky Hill Cycling Classic; success in delaying the revaluation process for the Borough until 2010; increased coverage by the State Police, extension of the South Bound Brook Police Services Contract, receipt of approximately \$275,000 in grant monies, approval of Phase I of the sidewalk repair and maintenance project, website improvements, and the Borough’s ability to keep the local tax from increasing.

Goals for 2008 include but are not limited to: review of technology infrastructure, adoption of the Borough’s Code Book, opening of Van Horn Park, and a study for improved parking in the downtown area.

**CONFIRMATION OF MAYORAL APPOINTMENTS (Appendix 1)**

Borough Appointments - The 2008 Borough appointments as attached hereto as Appendix 1 were read into the record by Mayor Zimmerman. Motion was made by Goldman with a second by Banks confirming said appointments. Motion carried on roll call vote – all ayes.

Council Committees – Motion was made by Griner with a second by Hallman confirming the following appointments: (Appendix 1)

Administration & Records – Chairperson Linda Goldman; Deputy Brian Griner  
Buildings & Grounds – Chairperson James Banks; Deputy William Hallman  
Finance & Insurance – Chairperson Julia Hasser; Deputy James Banks  
Public Safety & Emergency – Chairperson William Hallman; Deputy Julia Hasser  
Streets & Roads – Chairperson Courtney White; Deputy Linda Goldman  
Water, Sewer & Environment – Chairperson Brian Griner, Deputy Courtney White

Motion carried on roll call vote – all ayes.

Council Representatives, Boards, and Committees – Motion was made by Goldman with a second by White confirming said appointments as read into the record by Mayor Zimmerman and attached hereto as Appendix 1.

Mayor Zimmerman advised that he would be appointing Ad Hoc Committees as needed throughout the year in lieu of past practice of establishing Mayor’s Advisory Committees.

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**APPROVAL OF RESOLUTIONS (2008-01 THROUGH 2008-13)**

Motion was made by Griner with a second by Goldman approving resolutions 2008-01 through 2008-13 by way of consent agenda resolution 2008-01. Motion was carried on roll call vote – all ayes. Mayor Zimmerman suggested that consideration be given to re-scheduling the 2009 reorganization meeting to January 1, 2009. It was agreed to re-visit this suggestion at a later date.

**PROFESSIONAL SERVICES APPOINTMENTS/EXECUTION OF AGREEMENTS –**

**Resolution 2008-14** – Borough Attorney - Motion was made by Hallman with a second by Banks for the appointment of Albert Cruz, Esq. of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., as Borough Attorney for the period 1/1/08 through 12/31/08 at the rate of \$145.00 per hour by adoption of resolution 2008-14. Professional services agreement to be executed by Mayor and Borough Clerk. Motion carried on roll call vote – all ayes.

**Resolution 2008-15** – Borough Auditor - Motion was made by Griner with a second by Banks for the appointment of Robert Morrison of Hodulik & Morrison as Borough Auditor for the period 1/1/08 through 12/31/08 at the rate of \$120.00 per hour by adoption of resolution 2008-15. Professional services agreement to be executed by Mayor and Borough Clerk. Motion carried on roll call vote – all ayes.

**Resolution 2008-16** – Borough Engineer – Motion was made by Hasser with a second by Griner for the appointment of William Tanner of VanCleaf Engineering as Borough Engineer for the period 1/1/08 through 12/31/08 at the rate of \$130.00 per hour by adoption of resolution 2008-16. Professional services agreement to be executed by mayor and Borough Clerk. Motion carried on roll call vote – all ayes.

**Resolution 2008-17** – Risk Management Consultant – Motion was made by Griner with a second by Goldman for the appointment of Ted Merritt as Risk Management Consultant for the period 1/1/08 through 12/31/08 by adoption of resolution 2008-17. Contract to be executed by Mayor and Borough Clerk. Motion carried on roll call vote – all ayes.

**SPECIAL RESOLUTIONS**

**Proclamation** – Proclamation of gratitude was presented by Mayor Zimmerman to the residents who have volunteered their time to the Borough in elected or appointed positions during the year 2007. The proclamation was read into the record and will be included in the minutes of this date.

**Resolution 2008-18** – Resolution of appreciation was presented to Jared Witt for his service to the Borough as Council member from 2005-2007. Motion was made by Griner with a second by Banks to adopt the resolution. Motion carried on roll call vote – all ayes.

**Resolution 2008-19** – Resolution of appreciation was presented to John Yuchmow for his service to the Borough as planning board member and Vice Chairman. Motion was made by Hasser with a second by Goldman for the adoption of the resolution. Motion carried on roll call vote – all ayes. Mr. Yuchmow expressed his gratification in serving on the Board under the direction of Chairman Charles Pihokken and Board Professionals, Valerie Kimson, Susan Kimball, and Bill Tanner.

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### **Regular Meeting**

#### **APPROVAL OF MINUTES**

Regular Minutes – December 17, 2007 – Motion was made by Hallman with a second by Griner to approve the minutes as presented. Roll call: Banks-abstain, Griner-aye, Goldman-abstain, Hallman-aye, Hasser-abstain, White-aye. Motion carried.

#### **REQUEST OF COUNCIL FOR NEW OR UNFINISHED BUSINESS (NOT ON AGENDA)**

New Business - Christmas Tree Pick-up

#### **PUBLIC COMMENT**

The floor was opened to the public for comments/questions.

Martin Engelbrecht, resident, acknowledged the efforts of Mayor Zimmerman and wife, Randie, in the renovation of the Council/Court Meeting Room.

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

#### **ENGINEER'S REPORT**

Engineer's report dated 1/4/08 for December 2007 was received from Engineer Tanner and distributed. (copy on file in the Borough Clerk's Office).

Princeton Gamma Tech – Draft response letter by Engineer Tanner to the EPA's letter of 11/27/07 was distributed. The draft letter expresses disappointment with the EPA's response, requests copies of the chemical test results covering the time the wells started pumping and ongoing, and requests a final answer relative to the bubbler system in our well. It was agreed that the letter should be sent under the authority of the Mayor and copies should be sent to our local legislators as well as the Commissioner of the Department of Environmental Protection.

NJDOT Opportunities – The Borough has been awarded a \$200,000 grant for the Washington Street sidewalk between the library and Merritt. It was agreed that Engineer Tanner should commence work on the survey/plan work needed for this project. The estimated cost of \$4,000.00 will be encumbered in the Engineering O.E. budget line item. Residents will be notified prior to the survey work being done. PSE&G will also be notified by Engineer Tanner of the impending project. In response to questioning, Engineer Tanner advised that water shutoff markings will be coordinated with the Water Superintendents. Notice was received that the Borough was not awarded funding for the Hickory Court paving.

#### **Public Comments/Questions:**

Peggy Merritt, resident – Ms. Merritt was advised that the change in the Van Horne Park restroom do not affect the funding that has been appropriated for same. It was noted that there was a savings of approximately \$2,000.00 based on the change.

Peggy Harris, resident – Ms. Harris was assured that a treatment would be applied to the new sidewalks to prevent damage to same.

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

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**CHIEF FINANCIAL OFFICER’S REPORT**

No report at this time.

**APPROVAL OF VOUCHERS**

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

**SPECIAL BUSINESS**

None at this time.

**UNFINISHED BUSINESS**

None at this time.

**NEW BUSINESS:**

**Christmas Tree Pick-up** – Deputy Clerk Whitlock advised that contractor Robert Wells is available to pick-up the Christmas trees on 1/21/08 at the same hourly rate as last year of \$75.00/hour (not to exceed eight hours). Motion was made by Goldman with a second by Griner authorizing the project. Motion carried on roll call vote – all ayes. Notice of the date will be posted on the website and at the library and post office.

**COMMUNICATIONS:**

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

- Letter dated 12/28/07 from the Dept. of Transportation, RE: Hickory Ct. grant request denied was received;
- Letter from Planning and Design Collaborative, Re: Expiration of Borough’s Center Designation was received; copy to be forwarded to the Planning Board
- Invitation to a breakfast meeting to be held on 1/23/08 by DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., was received.

Councilmember Hasser will be provided with Items #1 and 5 as listed on the agenda (Training programs for elected officials).

**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 8:45 PM was made by Griner with a second by Banks.  
Motion carried on voice vote – all ayes.

Respectfully submitted:

Donna M. Griffiths, RMC  
Borough Clerk