

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
January 5, 2009**

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 our neighbors lost in 2008.

**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. Notice of this meeting of January 5, 2009, was transmitted to the Courier News and Somerset Spectator on December 22, 2008, and remains continuously posted as to required notices under the Statute. A copy of this notice is and has been available to the public and is on file in the Office of the Borough Clerk.

**OATH OF OFFICE TO ELECTED OFFICIALS**

The oath of office was administered by Borough Clerk Donna Griffiths to the following elected officials: Julia Hasser, Council Member – three year term to expire 12/31/11; Mark Pausch, Council Member – three year term to expire 12/31/11.

**ROLL CALL**

Mr. Jim Banks-present, Ms. Linda Goldman-present, Mr. William Hallman-present,  
Ms. Julia Hasser-present, Mr. Mark Pausch-present, Ms. Courtney White-present

Also present: Borough Attorney Albert Cruz, Borough Engineer William Tanner, CFO Ross Bobal,  
Deputy Clerk Raymond Whitlock

**NOMINATION OF COUNCIL PRESIDENT (ONE YEAR TERM TO EXPIRE 12/31/09)**

Motion was set forth by Goldman nominating Council member William Hallman as Council President with a second by Banks. Hearing no other nominations, roll call was taken on the motion: Banks-aye, Goldman-aye, Hallman-abstain, Hasser-aye, Pausch-aye, White-aye. Motion carried.

**MAYOR'S COMMENTS**

Mayor Zimmerman welcomed the following guests to the Borough's reorganization meeting: Freeholder Director Pat Walsh, Fanwood Mayor and President of the NJ Conference of Mayors Colleen Mahr, and Mayor Brian Levine of Franklin Township. Also in attendance and recognized were former Borough Mayors Grace Gurisic, Al Robotti, Brian Nolan, George Morren, and Raymond Whitlock Jr. Appreciation was also extended to South Bound Brook Police Chief King for his attendance.

The Mayor provided an overview of the accomplishments of 2008 as well as the issues to be faced in 2009 given the economic hardships that we are all being faced with. Some of the accomplishments of the year included (but were not limited to) the restoration of almost 75% of our State aid through a concerted effort of resident letter writing and lobbying by the Mayor and fellow organizations, Rocky Hill having been one of the lead municipalities in the successful challenge to an unconstitutional, unfunded mandated being imposed by the Governor for State Police services, and the ongoing efforts in fighting the proposed shutdown of the Rocky Hill school district. Accomplishments achieved through the work of the Council included (but were not limited to), updating and codification of the Borough Ordinances, an upgraded computer system, the opening of Van Horne Park, the completion of a County funded tennis wall on Borough Hall grounds, the improvement of recreational facilities and events, a budget that was crafted within the allowable cap range without a tremendous increase to the residents (taking into consideration the cut in State aid and ongoing litigation costs that are being incurred), a multi-year agreement with South Bound Brook Police Department, the purchase of a new fire truck and the completion of the first phase of sidewalk improvements/repairs.

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An expression of appreciation was extended to the Council members along with the Mayor commending all as one of the hardest working group of volunteers that he has had the opportunity of working with.

The Mayor offered that in light of the difficult economic times being faced and the expectation of more State aid cuts, the need for more volunteers from the community will be needed. In order to carry out the services that are offered to the Borough residents and in order to maintain the lower taxes that the Borough is accustomed to, the help of the residents will be needed. He requested that neighbors lend a helping hand to others in time of need due to economic hardship, bi-partisanship should be set aside for the good of the community, and more efforts of volunteerism need to be put forth in order to keep Rocky Hill the big "family" that it is.

#### **REMARKS BY REV. LINDA PEPE**

Rev. Pepe of the First Reformed Church introduced herself as a newcomer to the community. She extended praise to the community for the amazing acts of volunteerism by the residents of the Borough. She noted the tremendous sense of community as a gift that should be recognized as the Borough is on the cutting edge of what will transform America. A moment of prayer was observed.

#### **SPECIAL RECOGNITION OF FORMER MAYOR GRACE GURISIC**

Mayor Zimmerman welcomed former Mayor Grace Gurisic on the celebration of the 50th anniversary of her term as the Mayor of the Borough (term 1959-1960) to include having been the first and only female Mayor and the youngest ever to serve in the position. It was noted that Mayor Gurisic also went on to become the first woman and youngest Freeholder in Somerset County history.

Mayor Gurisic extended her appreciation to all for the tribute extended. She related that she is a humbled product of the good people of this community noting her foundation was attained by growing up in the Borough of Rocky Hill. She referred to the spirit of the community through the adage, "it takes a village...". Memorable events during her tenure as Mayor and Freeholder were related by Mayor Gurisic with a heartfelt expression of appreciation being offered again in closing.

A reception preceded the Council meeting which was attended by a number of Rocky Hill residents some of whom grew up with Ms. Gurisic. A plaque was presented to the Mayor by the Borough during the meeting. Also presented at the meeting was an embroidered "Mayor" cap by Mayor Mahr on behalf of the NJ Conference of Mayors. A verbal tribute from Freeholder Walsh was offered, and a tribute letter from Assemblywoman Denise Coyle was read into the record. Photographs were taken to include the former and present Mayors of the Borough that were in attendance: Mayor Gurisic, Mayor Robotti, Mayor Whitlock, Mayor Nolan, Mayor Morren, Mayor Zimmerman.

#### **CONFIRMATION OF MAYORAL APPOINTMENTS**

BOROUGH APPOINTMENTS  
COUNCIL COMMITTEES  
COUNCIL REPRESENTATIVES  
BOARDS AND COMMITTEES

The appointments as set forth by Mayor Zimmerman were read into the record and offered for advice and consent by the Council (as appended hereto). Motion was made by Hasser with a second by Goldman confirming the Mayoral appointments. Motion carried on roll call vote – all ayes. Mayor Zimmerman noted that consideration will be given to the expansion of the membership of the Recreation Committee

based on interest offered by the residents, particularly in the interests of the seniors. Consideration of two additional seats will be discussed at a future date. Efforts put forth by the Grants Committee in 2008 were also recognized, noting that the Borough was the recipient of over \$300,000.00 in grants.

#### **APPROVAL OF RESOLUTIONS (2009-01-2009-12)**

**Reorganization Resolutions 2009-01-2009-11** - Motion was made by Hallman with a second by Goldman for the approval of Resolutions 2009-01 through 2009-11 by way of consent agenda Resolution 2009-01. Motion carried on roll call vote – all ayes. (Resolutions appended hereto.)

**Resolution 2009-12 – Adoption of Temporary Budget** – CFO Bobal offered that the temporary budget reflects 25% of the appropriations from last year's budget. In response to questioning from Council member Goldman as to whether the funds appropriated in the pension line item reflect the deferral proposed by the Governor, CFO Bobal advised that the appropriation is based on the annual employer's share of 100%. Motion was made by Goldman with a second by Hallman for the approval of the resolution. Motion carried on roll call vote – all ayes.

#### **PROFESSIONAL SERVICES APPOINTMENTS/EXECUTION OF AGREEMENT**

**2009-13 – BOROUGH ATTORNEY** – Motion was made by Goldman with a second by Hasser for the approval of the resolution and execution of contract appointing Albert E. Cruz, Esq. of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C. as the Borough Attorney at the rate of \$145.00 per hour for the period January 1 – December 31, 2009. Motion carried on roll call vote – all ayes.

**2009-14 – BOROUGH AUDITOR** – Motion was made by Hasser with a second by Banks for the approval of the resolution and execution of contract appointing Robert S. Morrison of Hodulik and Morrison as the Borough Auditor at the rate of \$120.00 per hour effective January 1 through December 31, 2009. Motion carried on roll call vote – all ayes.

**2009-15 – BOROUGH ENGINEER** – Motion was made by Goldman with a second by Hasser for the approval of the resolution and execution of contract appointing William Tanner, P.E. of VanCleaf Engineering as the Borough Engineer at a rate not to exceed \$140.00 effective January 1 through December 31, 2009. Motion carried on roll call vote – all ayes.

**2009-16 – RISK MANAGEMENT CONSULTANT** – Motion was made by Hasser with a second by Goldman for the approval of the resolution appointing Dorothy Mather Ix of Bollinger Insurance effective January 1 through December 31, 2009. Motion carried on roll call vote – all ayes.

**2009-17 – BOROUGH PROSECUTOR** – Motion was made by Goldman with a second by Banks for the approval of the resolution and execution of contract appointing Raymond J. Stine as the Borough Prosecutor at the rate of \$500.00 per court session (not to exceed \$6,000 per year) for the period January 1 through December 31, 2009. Motion carried on roll call vote – all ayes.

**2009-18 – PUBLIC DEFENDER** – Motion was made by Hasser with a second by Banks for the approval of the resolution and execution of contract appointing Jared Witt Esq. as the Public Defender at the rate of \$1,000.00 per year (as needed) for the period January 1 through December 31, 2009. Motion carried on roll call vote – all ayes.

**2009-19 – BOROUGH PLANNER** – Motion was made by White with a second by Banks for the approval of the resolution appointing Susan Kimball, P.P. of Kimball and Kimball as the Borough's Planner at the rate of \$130.00 per hour for the period January 1 through December 31, 2009. Motion carried on roll call vote – all ayes.

**SPECIAL RESOLUTION 2009-20** – Motion was made by Hallman with a second by Pausch approving the resolution extending appreciation to former Councilman Brian Griner for his service as Borough Council member. Motion carried on roll call vote – all ayes.

**REGULAR MEETING** (commenced after a brief recess)

**APPROVAL OF MINUTES**

Regular Meeting Minutes –December 15, 2008 – Motion was made by Goldman with a second by White for the approval of the minutes as presented. Motion carried on roll call vote – all ayes; Hasser, Pausch – abstain.

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

Council member Pausch expressed his appreciation to the voters and residents for electing him as Council member. He further related his eagerness to serve. Council member Hasser offered the same sentiment to the voters.

New Business – Issues raised by Constables - Hallman

**PUBLIC COMMENT**

The floor was opened to the public for comments/questions as follows:

Peggy Harris, Crescent Ave. – Ms. Harris advised that the kiosk board in Van Horne Park is broken.

Al Robotti, resident, expressed his opinion that consideration be given for the replacement of the flag pole and installation of a light at Panicaro Park. He stated that discussions have been underway for five years or more and this project is overdue. Mayor Zimmerman advised that this project will be addressed.

**ENGINEER'S REPORT**

Report dated 1/5/09 for December 2008 from Engineer Tanner was received and distributed (copy on file in Borough Clerk's Office). The following issues were discussed:

County Park Project - Montgomery Township is proposing to do the maintenance at the park. It was the consensus of Mayor and Council that while it may be more cost effective for it to be done this way, the Borough needs to be provided with a cost estimate for this service before any decisions are made. Fencing at the passive side of the parking lot is scheduled to be done. In regard to the broken Plexiglas in the kiosks, Engineer Tanner will approach the Park Committee and/or the Eagle Scout that built the kiosk about bolting down one side of the Plexiglas to keep it from getting broken. Engineer Tanner followed up on the possibility of tying the Hickory Grant to placing a depressed curb and sidewalk to the Park. A survey drawing was provided. Engineer Tanner advised that the property across from the southerly side of the intersection is private property and any crossing would be south of the intersection. Council member Goldman pointed out that the Pulte application approval included a provision that they (Pulte) build a sidewalk from their project to the park so it would seem that the cut-out on Hickory should not be a problem. It was also offered that a proposal for a right-of-way from the private property owner could be requested. Engineer Tanner will follow-up further on these suggestions.

Hickory Court Grant - Plans will be developed by Engineer Tanner and a meeting will be scheduled with the residents of Hickory Court relative to the proposed work to be done on that street.

Washington Street Grant - The Borough is awaiting a response from the State Historic Preservation Office and NJ Department of Transportation for advice and/or approvals.

Tennis Wall - The tennis wall has been constructed and is at the full height, width, and length as proposed. The playing surface will be completed in the spring.

Soccer Field behind Borough Hall - Renovation of the field will be scheduled for the spring. The new grant being offered by the County for the rehabilitation of municipal parks will be further looked at for use in refurbishing this field as well as for proposed uses at Panicaro Park. Council member Goldman requested that flood plain maps be reviewed by Engineer Tanner for Panicaro Park and the Borough Hall Park prior to any work being done on these fields.

Other -

It was noted that a grant opportunity is available through the State for infrastructure/energy projects. Engineer Tanner and Water Superintendent Lesko were requested to look into the specifics of the grant.

There is a meeting scheduled for Friday afternoon with the engineers of the new carrier requesting to add an antennae(s) to the water tower. Mayor Zimmerman and Engineer Tanner will be attending.

Christmas tree Pick-up - Motion was made by Hasser with a second by Goldman authorizing the expenditure of funds (up to \$750.00) and scheduling of the pick-up of Christmas trees by Borough Clerk Griffiths. Raritan Valley Disposal and Robert Wells will be contacted for a price for the service. Motion carried on roll call vote - all ayes.

Council member Hasser advised that the pet litter bags are not being replaced at Van Horne Park. A meeting will be scheduled by Engineer Tanner with the Van Horne Park Committee to discuss this ongoing problem as well as other pending park issues. Engineer Tanner advised that the ARC maintenance contract expired on 12/31/08. He was advised to contact ARC to determine if a month-by-month agreement can be made until the maintenance offer by Montgomery Township has been resolved.

There were no questions posed to the Engineer by the public.

**CHIEF FINANCIAL OFFICER'S REPORT**

CFO Bobal advised that there was no formal financial report available at this time. He indicated that the revenues collected to date are in excess of anticipation. CFO Bobal was requested to provide expenditure reports to the Committee Chairs to help with the preparation of budgets for 2009. A budget meeting will be scheduled. Council member Banks will follow-up on re-establishing the remote access to the Borough's software system.

**APPROVAL OF VOUCHERS TO BE PAID**

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

**SPECIAL BUSINESS**

**Transfer Resolution 2009-21** - Motion was made by Hallman with a second by White for the approval of the transfer resolution in the amount of \$9500.00. Motion carried on roll call vote - all ayes.

**UNFINISHED BUSINESS:**

Draft Parks and Recreation Ordinance Discussion - carried to the next meeting.

**NEW BUSINESS:**

Issues raised by Constables - Council member Hallman related that the constables are questioning whether the Borough has an ordinance that requires numbering on houses. It was recommended by the constables that one be adopted if there is not one already on the books. Additionally, clarification was requested on the sidewalk shoveling ordinance as to whether it applies to shoveling across driveways. The ordinances will be reviewed in response to these questions.

Mayor Zimmerman advised that Fire Chief Harris has advised of traffic control training that is being offered through the Fire Academy for possible attendance by the constables. It was agreed that the constables should be requested to attend this training.

**COMMUNICATIONS:**

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

- Mayor's Fax Advisory was received advising of census taking employment opportunities being offered through 4/2010. The notice will be posted on the website.
- NJDEP Letter of approval of the Rocky Hill Cooperative Nursery School was received.

**FINAL PUBLIC COMMENT**

Cliff Moore, Skillman Ave. - In response to an issue raised by Mr. Moore regarding problems he has encountered with mail delivery due to his street not being listed on GIS maps, Ms. Goldman offered advice based on similar personal experience encountered with deliveries. Mr. Moore was referred to the postal superintendent for help in resolving the issue.

**ADJOURNMENT:**

Mayor Zimmerman extended his appreciation to the Council for their efforts put forth in 2008 offering hope that the year 2009 will be as good as 2008. Motion was made by Hallman with a second by Goldman to adjourn the meeting at 9:23 PM. All voted in favor of adjournment.

Respectfully submitted:

Donna M. Griffiths, RMC  
Borough Clerk