

**BOROUGH OF ROCKY HILL
BOROUGH COUNCIL**

**REORGANIZATION/REGULAR MEETING
JANUARY 3, 2005**

The Reorganization and Regular Meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Brian Nolan at 7:15 PM. Mayor Nolan stated that the meeting has been properly advertised in the December 31, 2004, edition of the Somerset Spectator and is being held in accordance with the Open Public Meetings Act.

Roll Call: Mr. Richard Batchelder-present, Mr. Martin Engelbrecht-present, Ms. Connie Hallman-present, Ms. Peggy Harris-present, Mr. George Morren-present, Mr. Edward Zimmerman-present.

Borough Clerk Raymond Whitlock Jr. was also present. Mayor Nolan welcomed Deputy Clerk Donna Griffiths who will be assisting Clerk Whitlock with the Council meetings as well as additional duties as requested.

Rev. William Schutter, Pastor, First Reformed Church of Rocky Hill, was present. Rev. Schutter reiterated his request of last year for the community to keep accountable with due respect of communication for all as we go forward into the new year.

REORGANIZATION:

Mr. Richard Batchelder took the oath of office for a three year term as a member of the Rocky Hill Borough Council.

Mr. Jared Witt took the oath of office for a three year term as a member of the Rocky Hill Borough Council.

Mayor Nolan called for nominations for Council President. On motion by Ms. Harris and second by Mr. Zimmerman, Mr. Morren was elected Council President for the year 2005. On a roll call vote, all present voted aye.

MAYORAL APPOINTMENTS:

The Mayoral appointments were read in full (see Appendix #1) and moved for approval with motion by Mr. Morren and second by Ms. Harris. Motion carried on roll call vote – all ayes; Witt-abstain.

COUNCIL COMMITTEES:

Mayor Nolan read in full the designation of Council Committees and Council Representatives (see Appendix #2). Mayor Nolan stated that he has designated assistants to the Committees for the year 2005. Mayor Nolan addressed concerns by Mr. Witt as to the process by which these assignments are made and indicated there will be consideration for input by Council members for possible re-alignment throughout the year. Motion to approve the appointments was made by Ms. Harris with a second by Mr. Morren. Motion carried on roll call vote – all ayes.

SUMMARY OF APPOINTMENTS TO BOARDS & COMMITTEES:

Mayor Nolan read in full the appointments to the following Boards and Committees (outlined in Appendix #3):

Planning Board – Motion to approve by Harris with second by Batchelder. Motion carried on roll call vote – all yes.

Board of Health – Motion to approve by Harris with second by Morren. Motion carried on roll call vote – all ayes.

Recreation Committee – Motion to approve by Zimmerman with second by Harris. Motion carried on roll call vote – all ayes.

Shade Tree Commission – Motion to approve by Morren with second by Harris. Motion carried on roll call vote – all ayes.

Mayor Municipal Grant Committee – Motion to approve with the addition of member Ann Holmes for one year term was made by Harris with second by Hallman. Motion carried on roll call vote – all ayes.

Summary of the Boards is attached hereto as Appendix #4.

RESOLUTIONS:

The following resolutions, as filed in the Municipal Clerk's Office and attached hereto as Appendix #5, were adopted as follows:

RULES OF ORDER – Motion to approve by Harris with second by Zimmerman. Motion carried on roll call vote – all ayes.

APPOINTMENT OF BOROUGH ATTORNEY – Motion to appoint Albert E. Cruz, Esq. as Borough Attorney/Corporation Counsel was made by Morren with second by Harris. Motion carried on roll call vote – all ayes. Mr. Cruz joined Mayor and Council on the dais.

APPOINTMENT OF BOROUGH AUDITOR – Motion to appoint Robert S. Morrison of Hodulik and Morrison, P.A. as Municipal Auditor was made by Harris with second by Morren. Motion carried on roll call vote – all ayes.

APPOINTMENT OF BOROUGH ENGINEER – Motion to appoint Neil VanCleaf, P.E. of VanCleaf Engineering as Borough Engineer was made by Morren with second by Zimmerman. Motion carried on roll call vote – all ayes.

APPOINTMENT OF BOROUGH PROSECUTOR – Motion to appoint Raymond J. Stine of DeFrancesco, Bateman, Coley, Yospin, Kunzman, Davis and Lehrer, P.C. as Borough Prosecutor was made by Zimmerman with second by Harris. Motion carried on roll call vote – all ayes.

REORGANIZATION MEETING 2006 – Motion to approve resolution for reorganization meeting of 2006 for January 2, 2006 with amended time of 7:15 PM was made by Hallman with second by Harris. Motion carried on roll call vote – all ayes. Mayor Nolan stated that consideration may be given to moving the meeting to January 1, 2006, at some future time. Adequate notice will be made accordingly in the event of a date change.

MEETING SCHEDULE/POSTING – At the request of Ms. Hallman, resolution to be amended to include the posting of meeting agendas as well as meeting dates. Motion to approve resolution as amended was made by Morren with second by Harris. Motion carried on roll call vote – all ayes. Mayor Nolan requested all Council members provide agenda items to the Borough Clerk at least one week prior to the meeting to ensure proper posting.

FEES FOR MEETING NOTICES – Motion to approve was made by Zimmerman with second by Harris. Motion carried on roll call vote – all ayes.

DESIGNATION OF 2005 OFFICIAL NEWSPAPER – Motion to approve was made by Zimmerman with second by Hallman. Motion carried on roll call vote – all ayes.

DEPOSITORY – Motion to approve Amboy National Bank as depository was made by Harris with second by Morren. Motion carried on roll call vote – all ayes.

CHIEF FINANCIAL OFFICER/TREASURER – INVESTMENT AUTHORIZATION – Motion to approve was made by Morren with second by Harris. Motion carried on roll call vote – all ayes.

INTEREST ON DELINQUENT TAXES/10 DAY GRACE PERIOD/6% YEAR END PENALTY – Motion to approve was made by Harris with second by Morren. Motion carried on roll call vote – all ayes.

TAX SALE AUTHORIZATION FOR TAX COLLECTOR – Motion to approve was made by Harris with second by Hallman. Motion carried on roll call vote – all ayes.

REFUND/CANCEL TAXES LESS THAN \$10.00 – Motion to approve was made by Zimmerman with second by Harris. Motion carried on roll call vote – all ayes.

TAX APPEALS/AUTHORIZATION FOR BOROUGH ATTORNEY – Motion to approve was made by Morren with second by Harris. Motion carried on roll call vote – all ayes.

2005 TEMPORARY BUDGET – Motion to approve with minor amendments as directed by Attorney Cruz was made by Morren with second by Batchelder. Motion carried on roll call vote – all ayes.

MAYOR'S COMMENTS:

Mayor Nolan provided a message to all residents and Council members regarding the recent earthquake and tsunamis in East Africa and South Asia to include the Somerset County Freeholder's Earthquake Relief Message and encouraged support by all.

PUBLIC COMMENTS:

The floor was opened for public comments/questions:

Marjorie Yuschak of 55 Washington St., questioned the reason for former Borough Attorney Rankin's resignation. Mayor Nolan advised Ms. Yuschak that the Borough Council decided to seek alternate counsel.

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

ADJOURNMENT:

Motion to adjourn the reorganization meeting at 7:55 PM was made by Harris with second by Hallman. Motion carried on voice vote – all ayes.

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REGULAR MEETING

Mayor Nolan called to order the regular meeting at 7:55 PM which was advertised in the December 31, 2004, edition of the Somerset Spectator and opened the meeting to the public. There being no questions or comments, the meeting was closed to the public.

REPORT OF THE BOROUGH ENGINEER:

Memorandum dated January 3, 2005, from Engineer William Tanner was provided to Mayor and Borough Council (copy on file in Clerk's Office). Mr. Tanner outlined his report for the Mayor and Council.

Motion to authorize KeyTech to do the coring work for the Crescent Ave/Park St. repaving project was made by Morren with second by Harris based on Engineer Tanner's request. Motion carried on roll call vote – all ayes.

In regard to the concerns by Ms. Hallman with the poles next to the speed humps being knocked down regularly, Engineer Tanner will confer with the Montgomery Township Engineer as to perhaps an alternative solution of this problem. Regarding the River Rd. bridge, Engineer Tanner is awaiting a response from the County as to the unresolved issues of the reduction of speed limit and painting of a three-way stop. At the request of Mr. Morren, Engineer Tanner will also request that we be advised in advance of a bridge reopening. Engineer Tanner advised that the leaf removal program for next year may require a bid process as opposed to the current quote process due to the increased costs. Due to the time line required for bidding for solid waste contracts, it was agreed to authorize Engineer Tanner to prepare specifications mirrored to the current contract for consideration at the next meeting. It was the suggestion of Attorney Cruz that a copy of the specs be provided to haulers in the surrounding areas in addition to providing them according to State regulations. Martin Engelbrecht expressed his opinion that only one annual clean-up day is probably necessary. It was agreed that Mr. Tanner will also include in the specifications an option of pricing for one and two annual clean up days and a price for Christmas tree removal.

Motion to authorize the expenditure of up to \$500.00 for removal of Christmas trees at this time was made by Morren with a second by Hallman. Motion carried on roll call vote – all ayes. Clerk Whitlock will contact the contractor from last year to arrange for the pick up of the trees for next Monday. Notice will be posted on the Borough's website in addition to the post office.

A copy of the Montgomery Township Pedestrian Bicycle Assessment Report dated November 11, 2004, will be provided to Mayor and Council by Engineer Tanner.

ADOPTION OF TEMPORARY BUDGET FOR YEAR 2005:

Action taken during reorganization meeting.

APPROVAL OF BILL LIST:

Motion to approve vouchers as outlined in Resolution (attached as Appendix #6) was made by Morren with second by Harris. Motion carried on roll call vote – all ayes.

COMMITTEE REPORTS:

Waived at this time.

SPECIAL BUSINESS:

None at this time.

COMMUNICATIONS:

Letter received from **Green Acres** concerning grant applications for Green Acres Funds will be provided to Ms. Harris.

Resolution from Sayreville Borough supporting S-1023 & A-1835 concerning reimbursing towns for taxes of disabled veterans was received.

UNFINISHED BUSINESS:

Mayor Nolan advised that the South Bound Brook/Rocky Hill agreement for police services will expire on February 10, 2005. Mayor Nolan along with Council Members Morren and Harris will be meeting with South Bound Brook to renegotiate the contract. At the request of Mr. Batchelder, Mr. Morren will confer with the Court Administrator regarding the feasibility of breaking out the fees according to the issuing authority.

NEW BUSINESS:

Motion to approve the Interlocal Recycling Agreement with Somerset County at the same rate (\$23.85 per household) was made by Zimmerman with a second by Harris. Motion carried on roll call vote – all ayes.

Mayor's Comments – Mayor Nolan advised that he has met with Mayor Louise Wilson of Montgomery Township and he anticipates a letter forthcoming regarding the sewer agreement. Mayor Nolan will provide copies of the Sewer Agreement to Council Members Zimmerman, Batchelder, Witt and Attorney Cruz. Mayor Nolan requested that the Council members provide their goals and initiatives for the community to him via e-mail for distribution and discussion at the next meeting. Mayor Nolan also advised that the preparation of the 2005 budget is underway. The needs of the Borough will be assessed as well as the financial impact on the municipal tax rate. The Mayor further advised that a representative(s) of the Rocky Hill Fire Department will be present at the next meeting to provide their annual report.

No further comments at this time by Council

PUBLIC COMMENT:

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

ADJOURNMENT:

Motion to adjourn at 8:40 PM was made by Batchelder with a second by Zimmerman. All members voted in favor of adjournment.

Respectfully submitted:

Donna M. Griffiths
Deputy Clerk

