

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
SEPTEMBER 19, 2005**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Brian Nolan at 7:30 PM. Mayor Nolan led the Pledge of Allegiance to the Flag followed by a moment of silent meditation for the victims of Hurricane Katrina. Mayor Nolan stated that the meeting has been properly advertised in the December 31, 2004, issue of the Somerset Spectator and is being held in accordance with the Open Public Meetings Act.

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

Late Attendance: Mr. Jared Witt at 8:00 PM

Absent: Ms. Connie Hallman

Also present: Borough Clerk Raymond Whitlock, Attorney John Horan on behalf of Borough Attorney Albert Cruz, Borough Engineer William Tanner

**APPROVAL OF REGULAR MINUTES**

Motion to approve the minutes of the regular meeting of August 15, 2005, was made by Morren with a second by Harris contingent upon the following corrections: Page 2 – Quote to Clean Windows – Motion was made by *Harris...*; Unfinished Business – By-Laws – It was suggested that the Information Committee's *Press Relations* responsibility...; New Business – Mr. Zimmerman was provided with the following by Mayor Nolan to *hang in Borough Hall:*” Motion carried on roll call vote – all ayes.

**PUBLIC COMMENTS**

Don Tully, resident of Washington Knoll, expressed his concerns with security at the new County Park as well as potential parking problems on Young Dr. and access to the open area and path near his property. Mr. Tully was provided with a response as to the security issues being addressed for the park. In regard to the parking on Young Dr., it was suggested to wait until the park opens to address any problems that may arise. Mr. Tully was requested to keep Mayor and Council abreast of same. It was agreed that some type of permanent barrier should be considered along the footpath of Youngs Dr. to keep vehicles from driving through and the possibility of planting hedges by the Association should be considered for the ROW near their property.

**ENGINEER'S REPORT**

Engineer Tanner's report dated September 15, 2005, for August 2005, was distributed (copy on file in Borough Clerk's Office). In response to a request by Mayor Nolan, Engineer Tanner will request confirmation in writing from the USEPA as to the commitment of shut off of the pumps in the event of a problem.

Princeton Ave. Sidewalks – Engineer Tanner advised that he has received a response from EDEN Acres that they would be inclined to grant the easement. He is in the process of obtaining a formal commitment. It was agreed that Clerk Whitlock will coordinate a meeting for Engineer Tanner and resident, Ms. Soika, (who had previously declined) in order for her to be provided with an overview of the Borough's plans.

Princeton Ave. Drainage – Engineer Tanner advised that the plans were sent out to bid, however, no bid packages were picked up. He will attempt to seek bids again.

The Lemore Circle project has been completed. It was noted that the constables would be notified regarding overhanging trees from residents' properties.

Municipal Recreation Shelter (Pavilion) – The project was rebid, however, bids were more than allowed per budget again. Motion was made by Zimmerman with a second by Morren to reject the bid offered at \$23,300.00 (base bid) from Hahr Construction, North Plainfield, NJ, and to authorize negotiations with the two companies (to include Hahr Construction) that have presented bids. Roll call: Batchelder-aye, Harris-aye, Morren-aye, Zimmerman-aye. Mr. Zimmerman advised that some monies may be available from the County for this project, and he will advise Mayor and Council upon confirmation of same.

Leaf Contract – Project was sent out to bid, however, no bids were received. It was suggested by Engineer Tanner to consider the solicitation of quotes in lieu of the bid process for this project based on the recently approved increased quote threshold by the State. Mayor and Council concurred to authorize Engineer Tanner to quote the project for three, consecutive pickups with the option for one additional pickup.

*(Mr. Witt arrived at 8:00 PM)*

Fencing at VanHorne Park – Engineer Tanner advised that construction equipment has been placed in front of the opening for the park temporarily. It was suggested that some split rail fencing be erected along Young Dr. to narrow the walkway entrance and possibly one or two panels in the areas of Knoll Way and Princeton Ave. He also advised that he is in the process of price quotes for 6x6 posts and a chain as another means of delineating the edge of the park. Mr. Zimmerman will research a previous request from a

Montgomery Twp. resident wishing to erect a fence along the property line. In response to questioning by Ms. Harris as to the washout problem along Princeton Ave., Engineer Tanner will explore avenues for alleviating this problem. Engineer Tanner will discuss the issues with the fencing with Montgomery Township. It was agreed that barriers (orange barrels) be put in temporarily to try and deter vehicles from entering the property. Mr. Morren will request increased patrols by the NJSP in the evenings and on weekends.

Letter received from Somerset County, Dept. of Public Works, Director Amorosa, dated September 1, 2005, addressed to Engineer Tanner in response to various requests made by the Borough, was distributed to Mayor and Council. In response to the Borough's requests, the County has agreed to install flashing signs at the three-way stop at River Rd.

Engineer Tanner will provide a list of restrictions for clean up day and brush pickup to Mr. Batchelder for posting on the website and in the library.

### **BILL LIST**

#### **Resolution**

WHEREAS, the Treasurer has certified that sufficient funds are available to pay said vouchers, BE IT, THEREFORE, RESOLVED, that the following vouchers be approved for payment.

Motion to approve the resolution was made by Batchelder with a second by Harris.

Motion carried on roll call vote – all ayes. (See Appendix 1 for Bill List)

### **COMMITTEE REPORTS:**

**Administration & Records** – Mr. Witt advised he is continuing his review of the code book and is awaiting a response from former Borough Attorney Rankin regarding the code revisions.

**Buildings & Grounds** – Mr. Zimmerman reported on a problem with the ceiling over the sink used by the nursery school and the need for possible replacement. He also noted the need to hire someone to empty the outdoor garbage receptacles outside Borough Hall, Panicaro Park, and at the point. Mr. Zimmerman advised that Council previously approved a request by the Recreation Committee for the purchase of two picnic tables (up to \$500) and one bench for the tennis courts (up to \$200.00). It was requested to hold off on the purchase of the table for the Borough property due to the impending pavilion project. Request was made to amend the purchase to two benches and one table. Motion to approve the amended expenditure was made by Zimmerman with a second by Morren. Motion carried on roll call vote.

**Finance & Insurance** – Mr. Batchelder provided an update on the newly installed budget system by Municipal Software. It was noted that finance reports should be available by mid-October.

**Public Safety & Emergency Services** – Mr. Morren advised that he along with Mayor Nolan and Councilman Zimmerman met with the Acting Station Commander in Hamilton. The establishment of a substation at Rocky Hill continues to be discussed. Mr. Morren advised that the NJSP will possibly provide a helicopter for the upcoming volunteer appreciation day in the Borough. A schedule of the Borough Council meetings was provided to the Station Commander. An overview of the Constables report as well as the Court Administrator's report for August was provided.

**Streets & Roads** – Ms. Harris reported on a demolished sign at Princeton Ave. and Route 518 that was repaired by the County. In response to a request by Clerk Whitlock, Ms. Harris will ask the County about obtaining more resilient pedestrian signs as observed in neighboring areas. Ms. Harris provided an update on the events surrounding the Volunteer Appreciation Day to be held on October 1, 2005, between 1-4PM. A rain date is scheduled for October 2, 2005. A reminder flyer will be distributed.

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

**Council Representative to Planning Board** – No report at this time; meeting cancelled.

**Council Representative to School Board** – Interviews are being scheduled for the vacant seat.

**Council Representative to Board of Health** – It was noted that flu shots are scheduled to be given out on October 20, 2005. In response to questioning by resident, Cliff Moore, as to whether there will be an age restriction, Mr. Batchelder will follow up on the details and post the information on the website.

**Zoning Official** – Larry Raffaelli provided a summary report of projects before him. In response to Mr. Raffaelli's concern that the Development Regulations Ordinance is in need of revisions, he was advised to contact Valerie Bollheimer, Planning Board Attorney.

### **SPECIAL BUSINESS**

#### **PUBLIC HEARING/SECOND READING:**

#### **ORDINANCE #5-2005 PROVIDING FOR STORMWATER CONTROL MANAGEMENT**

Ordinance #5 -2005 as filed in the Borough Clerk's Office, entitled above, was read by title. The floor was opened to the public for questions/comments. Hearing none, the floor was closed. Motion to table adoption of the ordinance pending receipt of comments by the Planning Board was made by Zimmerman with a second by Harris. Motion carried on roll call vote – all ayes.

**DISCUSSION – POSSIBLE DONATION OF ROCKY HILL AMBULANCE (1975 CHEVROLET)**

Resident, Cliff Moore, provided Mayor and Council with information pertaining to donations being made through the Somerset County Emergency Services for areas affected by Hurricane Katrina. The rescue squad is interested in donating the 1975 Chevrolet ambulance (fully equipped) to the emergency management service in Mobile, Alabama. Mayor and Council have been requested to consider foregoing the trade-in value of \$1200.00 in order to donate said ambulance. Motion was made by Zimmerman with a second by Witt to forego the trade-in value of the ambulance for donation contingent upon the squad providing a proposal to Mayor and Council outlining the specifics of the donation. Motion carried on roll call vote – all ayes. Mr. Morren will follow up with the squad.

**COMMUNICATIONS**

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

**UNFINISHED BUSINESS:**

Discussion of Rocky Hill General Code – previously discussed.

**NEW BUSINESS:**

Discussion of new WAWA in Montgomery Township on western border of Rocky Hill – Mayor Nolan provided a status update of his discussions with representatives of Montgomery Township concerning this application which proposes the razing of the Princeton Gamma Tech building and construction of a Super WAWA on the site. Site plan of the proposal dated 5/24/05 was reviewed by Mayor and Council specifically as it relates to the new proposed two lane road adjacent to the Rocky Hill border. Concerns were expressed regarding the impact on traffic, particularly due to the two lane road, and the installation of underground tanks. Mayor Nolan advised that Montgomery Township will be holding its next subcommittee meeting on October 3, 2005, and comments by Rocky Hill will be entertained according to Mayor Wilson. It was agreed that a formal analysis of the proposal should be conducted by Borough professionals to address concerns raised by the Borough.

Motion was made by Witt with a second by Harris to retain the services of special engineering consultant (due to conflict of Borough Engineer Tanner), Paul Ferriero at a cost not to exceed \$3,000.00, to prepare an analysis on behalf of the Borough and for representation at the Township meetings. Motion carried on roll vote – all ayes.

Motion was made by Morren with a second by Harris to retain the services of Planning Board Attorney Valerie Bollheimer for the purpose of representation on behalf of the Borough for any presentations before the Township's subcommittee or at any public hearings at a cost not to exceed \$3,000.00. Motion carried on roll call vote – all ayes.

It was agreed to hold a special meeting on Tuesday, September 27, 2005, at 7:00 PM, for the purpose of meeting with these professionals to formulate the Borough's position on the proposal.

**PUBLIC COMMENT**

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

**ADJOURNMENT:**

Motion to adjourn the meeting at 9:40 PM was made by Batchelder with a second by Morren. Motion carried on voice vote – all ayes.

Respectfully submitted:

Donna M. Griffiths  
Deputy Clerk