

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
NOVEMBER 21, 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. Mayor Nolan noted statement of compliance 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. Connie Hallman-present, Ms. Peggy Harris-present, Mr. George Morren-present, Mr. Edward Zimmerman-present.

Late attendance: Mr. Witt (at 7:32 PM – after roll call on attendance)

Also present: Borough Clerk Raymond Whitlock, Borough Attorney Albert Cruz, Borough Engineer William Tanner

**APPROVAL OF MINUTES**

Regular Meeting Minutes – November 7, 2005 – Motion to approve the minutes was made by Batchelder with a second by Morren. Motion carried on roll call vote – all ayes.

Executive Session Minutes – November 7, 2005 – Motion to approve the minutes was made by Hallman with a second by Harris. Motion carried on roll call vote – all ayes.

**PUBLIC COMMENTS**

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

**ENGINEER'S REPORT**

Engineer Tanner's report dated November 18, 2005, for October-November 2005 was received and distributed (copy on file in Borough Clerk's Office). The following items were discussed:

Princeton Gamma Tech - Letter to Princeton Gamma Tech is in the process of being composed. Engineer Tanner will e-mail the letter to Mayor and Council for their review prior to the first meeting in December;

County Park Project - An update was provided on the County Park project; the active recreation area has been completed and work is now being concentrated in the passive area. At the request of Council, Engineer Tanner will look into the following: posting of "no hunting" signs, signs on gates, means of blocking cars from going around the gates; barricades for the walking path from Princeton Ave., garbage and restroom facilities upkeep, opening/closing of gates, and police patrol issue to be resolved. It was noted that Montgomery Township Police Department is willing to respond to "9-1-1" emergency calls and vandalism incidents will be handled by the NJ State Police.

Leaf Pick up Contract – It was noted that the contractor picked up leaves on today's date which was not a date agreed upon via contract. Engineer Tanner will advise the contractor that the agreed upon pick-up date of 11/28/05 should be adhered to which will be the fourth billable pickup. A decision will be made at the 12/5/05 meeting as to whether an additional pick-up will be needed.

Traffic Calming – Draft letter to the NJDOT requesting speed limit reductions for Montgomery and Princeton Aves. was distributed by Engineer Tanner. Correction to the current speed postings noted in the letter will be made along with the deletion of language regarding a previous request. Mayor and Council authorized the submission of the request to the NJDOT which will be accompanied by supporting documentation to include photographs of the proximity of the roadways to sidewalks, curbs, and dwellings, aerial photographs, and copies of accident reports for the last 12 months.

Sidewalks – A sidewalk replacement schedule was provided for review projecting an estimated cost of \$8,304.00. It was noted that #60 Princeton Ave. is not included in the schedule and will be added by Engineer Tanner. Engineer Tanner will request the County's consideration for the repairs to sidewalks along Washington St. and Crescent Ave. noting damage to same which was caused due to traffic calming done in those areas.

Pathways Grant – Engineer Tanner advised of a grant application received from the National Recreational Trail Program for which a 20% match either in cash or in-kind services is required. The grant could be utilized for the installation of new paths in the County Park. Approximately \$5-6,000.00 would need to be provided by the Borough for the 20% match or consideration could be given to in-kind services by public works personnel. The grant application would be filed on behalf of the Borough only. All expressed favoritism in applying for the grant. A resolution in support of the application will be prepared.

Princeton Ave. Sidewalks – Preliminary plans for the sidewalks was presented to Mayor and Council by Engineer Tanner. Engineer Tanner provided an overview of the project as it is affected by the lack of dedication of easement from the Soika family. After considerable discussion, it was agreed to have Engineer Tanner provide the following for further review: concentrated plan detailing the Soika property,

appraisal costs, costs v. grant allotment, screening options, option for relocation of sidewalk closer to roadway, and determination by Montgomery Township as to whether they will be doing any connecting at the bridge. Carried to December meeting.

Municipal Recreation Shelter – Engineer Tanner will report back at the next meeting as to the actual final cost difference needed for the construction of this project.

Other – Engineer Tanner will follow-up on the request for continued curbing lip by JML up to the Ramsey residence on Merritt Lane.

#### **APPROVAL OF VOUCHERS/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 Hallman with a second by Harris.

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

#### **SPECIAL BUSINESS**

**Receive Comments from Mary Jacobs Memorial Library** – Representatives of the Library Anthony Bianculli, Helen Morris, and Brenda Fallon appeared before Mayor and Council. Request was made for the Borough's consideration of an increase in the 2006 budget line item for the library from the prior contributions of approximately \$6,000.00 to \$12,000.00 (which is less than 10% of their annual budget) to aid with the library's building operating expenses, i.e. heat, insurance, maintenance, due to the recently expanded facility. Mr. Bianculli noted that an increase will also be requested by Montgomery Township from \$14,000 to \$50,000. Mr. Bianculli advised that Montgomery Township is the largest contributor to the library and the second largest contributions are received from endowment monies. The Borough will take into consideration the library needs as requested. A comparison of the use of the library relative to the Borough's population size will be considered.

#### **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. It was noted that the Planning Board approved of the ordinance as presented at their November 15, 2005, meeting. Mayor Nolan opened the floor to the public for comments. Hearing none, the floor was closed. Motion to adopt the ordinance was made by Morren with a second by Harris. Motion carried on roll call vote – all ayes.

#### **INTRODUCTION OF ORDINANCE #7-2005 – AN ORDINANCE TO ESTABLISH THE FEES TO BE CHARGED FOR INSPECTION AND REPRODUCTION OF GOVERNMENT RECORDS**

Ordinance #7-2005 as filed in the Borough Clerk's Office and entitled above was read by title. The following sections to be revised by Attorney Cruz: Section 7. Records Access Fees – insert item "i. Extraordinary Service Fee – Cost of hourly rate (cost + benefits) of person providing service"; Section 9. Vital Statistics – delete "d. Burial Permit: \$5.00 each." Motion to introduce the ordinance with the aforementioned changes was made by Harris with a second by Hallman. Motion carried on roll call vote – all ayes. The public hearing for the adoption of the ordinance is scheduled for December 19, 2005 at 7:30 PM at Borough Hall.

#### **INTRODUCTION OF ORDINANCE #8-2005 – AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF MAJOR ROAD IMPROVEMENTS TO MONTGOMERY AVENUE IN AND BY THE BOROUGH OF ROCKY HILL, IN THE COUNTY OF SOMERSET, NEW JERSEY, APPROPRIATING \$165,000 THEREFOR.**

Ordinance #8-2005 as filed in the Borough Clerk's Office and entitled above was read by title. Clarification will be made with Engineer Tanner as to whether Princeton Ave. should be included. Correction to be made to numbering of Section 3 (b) and (c). Motion to introduce the ordinance with aforementioned changes was made by Morren with a second by Witt. Motion carried on roll call vote – all ayes. The public hearing for the adoption of the ordinance is scheduled for December 19, 2005, at 7:30 PM at Borough Hall.

#### **RESOLUTION – AMENDMENT TO 2005 BUDGET – SPECIAL ITEM OF REVENUE – FEDERAL RECREATION TRAILS PROGRAM GRANT OF \$25,000.**

Motion to approve the above-noted resolution (attached hereto as Appendix 2) was made by Zimmerman with a second by Hallman. Motion carried on roll call vote – all ayes.

#### **RESOLUTION – AMENDMENT TO 2005 CAPITAL BUDGET – MONTGOMERY AVENUE REPAVING AND CURBING IN THE AMOUNT OF \$165,000**

Motion to approve the above-noted resolution (attached hereto as Appendix 3) was made by Morren with a second by Harris. Motion carried on roll call vote – all ayes.

## **COMMUNICATIONS**

Correspondence as outlined on the agenda was reviewed and ordered filed. Mayor Nolan reported on correspondence received by him disseminating materials to the appropriate Council representatives. Copy of correspondence from Montgomery Township to the DOT Commissioner regarding environmental concerns of the 206 By-Pass Reassessment is on file in the Borough Clerk's Office. In response to inquiry from Board of Health representative Mary Germaine, regarding the proposed WAWA in Montgomery Township, it was agreed that the Board of Health should forward concerns to Mayor and Council; Mayor Nolan will follow-up with Zoning Officer Raffaelli about a concern posed by a neighboring residence about the fence being erected at a residence on Montgomery Ave.

## **UNFINISHED BUSINESS:**

**Update on the WAWA Application before Montgomery Township** – Mayor Nolan advised that the public hearing scheduled for this application has been adjourned to 11/28/05; a copy of the traffic report prepared by the Borough's professionals was provided to Council members and a copy has been sent to the Somerset County Planning Board. It was agreed that information regarding future hearing dates should be posted on the Borough's website. Additionally, an informational pamphlet will be distributed this weekend to Borough residents regarding this application and the Borough's position regarding same.

**Possible Purchase of new Court Recorder** – Informal quotes for tape and digital recording devices were received from Court Administrator Hooven and distributed. Councilman Zimmerman will review same along with pursuing options with State contract vendors.

**Disposition of Rocky Hill Tennis Association Bank Account** – Copy of the signatory card was obtained from the bank by Clerk Whitlock. Councilman Witt to follow-up on this matter.

**Police Protection for Court Sessions** – South Bound Brook Mayor and Police Chief are receptive to discussions regarding this issue. Meeting to be scheduled. It was noted that there are extra monies available from special patrol funds allotted for the South Bound Brook Police Department at this time. It was agreed to utilize these funds for police coverage by South Bound Brook at the next Court session.

## **NEW BUSINESS:**

Nominations are being accepted for "**Outstanding Women in Somerset County**" through December 20, 2005. Carried to next meeting.

Councilman Zimmerman apprised Mayor and Council of a request from college freshman Christopher Solazzo to provide **community service** to the Borough, i.e. painting of the front door at Borough Hall. Mr. Solazzo will provide the paint. All concurred with request.

**Resolution – Grant Agreement between Borough of Rocky Hill and Department of Environmental Protection in the amount of \$5,000 for Storm water Activities (storm water stickers)** – Motion was made by Witt with a second by Hallman for the execution of this resolution/agreement on behalf of the Borough by Mayor Nolan. Motion carried on roll call vote – all ayes.

## **PUBLIC COMMENT**

Cliff Moore, resident, requested a status update on the proposed Schafer Development application. Mayor Nolan advised the application was deemed complete at the 11/15/05 meeting of the Planning Board and public hearing is scheduled for January.

Martin Engelbrecht, resident - In regard to the additional funds being requested by the library, Mr. Engelbrecht suggested that Mayor and Council research the percentage of users from Rocky Hill v. Montgomery Township so that the funding reflects the proportionate ratio of users.

## **ADJOURNMENT:**

Motion to adjourn the meeting at 9:30 PM was made by Batchelder with a second by Morren. Motion carried on voice vote – all ayes.

Respectfully submitted:

Donna M. Griffiths  
Deputy Clerk