

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

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor George Morren at 7:30 PM. Mayor Morren led the Pledge of Allegiance to the Flag followed by a moment of silent meditation. Mayor Morren 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. Jared Witt-present, Mr. Edward Zimmerman-present.

Also present: Borough Clerk Raymond Whitlock, Borough Attorney Albert Cruz

APPROVAL OF MINUTES

Regular Meeting Minutes – December 5, 2005 - Motion was made by Zimmerman with a second by Harris to approve the minutes with the following corrections/changes as recommended by Mayor Morren:

Page 1 – Deletion of “Mayor Brian Nolan” under “Absent”

Page 3 - First paragraph – change in wording “favoritism” to “*support*”

- Unfinished Business – change of nomination for Outstanding Women from “Brenda Fallon” to “*Helen Morris*”
- Veteran’s Memorial – change in language to, “...veteran’s memorial *being planned...*” addition of language “*It was also noted by Mr. Robotti that a major problem would be in coming up with an accurate list of Rocky Hill veterans.*”
- New Business – Borough Sidewalk Snow Removal – change in language to, “...services to the Borough *along with current customers in the Borough.*”
- New Business – Possible Replacement of Borough Superintendent Larry Merk – change in language to, “...is currently employed by the Borough and *holds* all required...”
- Public Comment – Marge Yuschak – change in language to, “...Republican Committee *and* the disallowance...”; deletion of “...a line of...”.

Motion carried on roll call vote – all ayes; Hallman-abstain.

PUBLIC COMMENTS

Mayor Morren noted the continued practice by Mayor and Council of receiving comments from the public. The floor was opened to the public for comments/questions.

Jeanette Muser – Ms. Muser requested the Borough’s continued budget support of the Rocky Hill Newsletter. Ms. Muser was advised that this budget item would be considered during the budget process and in the interim funds would be available for the issuance of the Jan./Feb. edition of the newsletter.

Mark Germaine, 15 Washington St. – Mr. Germaine inquired as to the Borough’s strategy for countering testimony being offered by experts on behalf of the WAWA application in Montgomery Township, specifically relative to DEP issues. Mr. Germaine was advised that a professional staff has been retained by the Borough to address the concerns of the Borough to include numerous DEP issues.

Gabrielle Dietrich, Merritt Lane – Ms. Dietrich expressed concern with the WAWA application, specifically as it relates to the proposed master plan road and potential traffic problems. Ms. Dietrich was advised that these issues would be addressed by the traffic expert retained on behalf of the Borough.

Mayor Morren encouraged Borough resident attendance at the next public hearing scheduled for the WAWA application on January 30, 2005, before the Montgomery Township Planning Board.

Albert Chini, resident, expressed support of the approval of public comments.

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

STATE POLICE REPORT

Mayor Morren provided an overview of the statistics report for the Borough as received via e-mail from the Hamilton Barracks Station Commander.

TRANSFERS IN THE 2005 MUNICIPAL BUDGET

BE IT RESOLVED, the following transfers be made in the 2005 municipal budget:

From Gen Adm	\$ 6000.00
From Legal Fees	2000.00
From Liability Ins.	2000.00
To Rec Ser Shelter	10000.00
From Legal Fees	3000.00
From Plan Board	2000.00
To Rec Ser	5000.00 (20% match \$25,000 Trails Grant)

Mr. Zimmerman confirmed that an extension of the grant for the recreation shelter has been approved by the County. Based on the granting of the extension, Batchelder moved the resolution with a second by Witt. Motion carried on roll call vote – all ayes.

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. Clerk Whitlock noted the cancellation of two checks as reflected on the bill list, one of which is for payment to PERS which will not be paid at this time, however, the funds will be allocated in the 2005 budget. Batchelder moved approval of the resolution noting allocation of funds for the PERS line item in the 2005 budget with a second by Hallman. Motion carried on roll call vote – all ayes. (See Appendix 1 for Bill List)

CANCELLATIONS IN THE 2005 MUNICIPAL BUDGET BY RESOLUTION

Motion to move the resolution for cancellation as recommended for a total of \$24,500.00 and attached hereto as Appendix 2 was made by Batchelder with a second by Harris. Motion carried on roll call vote – all ayes:

SPECIAL BUSINESS

PUBLIC HEARING/SECOND READING:

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, was read by title. Mayor Morren provided an overview of the ordinance for public information. The floor was opened to the public for questions/comments. Hearing none, the floor was closed. Motion to adopt was made by Harris with a second by Hallman. Motion carried on roll call vote – all ayes. (Attached as Appendix 3)

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, was read by title. The floor was opened to the public for questions/comments.

In response to questioning by resident, Jeanette Muser, clarification was made that the ordinance provides for sidewalk and drainage improvements to Montgomery Ave. The floor was closed to the public. Motion to adopt was made by Batchelder with a second by Harris. Motion carried on roll call vote – all ayes. Clerk Whitlock noted the 20 day estoppel period relative to the effective date of this ordinance. (Attached as Appendix 4)

COMMUNICATIONS

Correspondence as outlined on the agenda was reviewed and ordered filed. Resolution from Manville Borough regarding higher limits for property tax freeze was held over by Mayor Morren for any further interest by Council; letter was received by Mayor Morren from Kimball Associates regarding increase in fees for the upcoming 2006 fiscal years.

UNFINISHED BUSINESS:

Possible purchase of Court recorder – Mr. Zimmerman advised that a demonstration of court recorders will be scheduled via the Court Administrator in January.

Funding of Recreation Shelter at Borough Hall – Based on the extension of the 04/05 grant monies received and transfer of funds this evening, motion was made by Zimmerman with a second by Hallman to award the bid for the recreation shelter to Hahr Construction in the amount of \$35,548.00. Motion carried on roll call vote – all ayes. Per the suggestion by resident Cliff Moore for the selling of commemorative blocks for the walkway, Mr. Zimmerman advised this project is being considered by the community group.

Discussion of Tennis Association Account – Mr. Witt advised that a resolution will be drafted by him along with Attorney Cruz for signature by the remaining members of the Association for the release of the funds from the account. Carried to next meeting.

Possible replacement of Borough Superintendent Larry Merk – As a follow-up to the last meeting, Ms. Hallman advised that she supports the proposal of the sharing of the superintendent title and salary by Larry Merk and Tim Lesko for the year 2006. Ms. Hallman has spoken with Mr. Lesko and was provided with copies of the required certificates as held by him. It was agreed by Mayor and Council that there be two, part-time superintendents for the year 2006 and that the splitting of the salary will be addressed in the salary resolution.

NEW BUSINESS:

Approval of PARIS Grant Resolution – Resolution was presented for the Borough's participation with the County of Somerset in applying for a PARIS grant in the amount of \$260,000, for the purpose of conducting an archives and records management needs assessment and strategic plan. Motion to approve the resolution (attached as Appendix 5) was made by Harris with a second by Witt. Motion carried on roll call vote – all ayes.

Pay-to-Play Legislation - Attorney Cruz provided an overview of the newly adopted legislation effective in 2006 which applies to contract awards for professionals and contributions to Borough officials. In response to the legislation, it was agreed that a certification should be executed by the Borough's professional staff, i.e. engineer, planner, attorneys, auditor, prosecutor, for the year 2006, regardless of whether contract awards exceed the referenced \$17,500.00 amount as per the legislation. Motion to authorize the Clerk to prepare certifications for execution by the Borough's professionals was made by Zimmerman with a second by Hallman. Motion carried on roll call vote – all ayes.

PUBLIC COMMENT

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

ADJOURNMENT:

Mayor Morren recognized Council members Hallman and Harris for their dedicated service and extended appreciation and gratitude on behalf of the Council and residents of the Borough.

Motion to adjourn the meeting at 8:33 PM was made by Batchelder with a second by Hallman. Motion carried on voice vote – all ayes.

Respectfully submitted:

Donna M. Griffiths
Deputy Clerk