

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
November 5, 2007**

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 followed by a moment of silence in memory of Kyle Licker, son of Tom and Erin Licker.

**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. This meeting was included in a list of meetings advertised in the December 16, 2006, edition of the Somerset Messenger Gazette and transmitted to the Courier News and Somerset Spectator. Notice has been posted accordingly and a copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

**ROLL CALL**

Mr. Jim Banks-present, Ms. Linda Goldman, Mr. Brian Griner-present, Ms. Courtney White-present,  
Mr. Jared Witt-present

Absent: Mr. William Hallman

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

**MAYOR'S COMMENTS**

- Mayor Zimmerman expressed his appreciation to the volunteers who helped in assembling the new park equipment at Panicaro Park (Linda Goldman, Courtney White, George White, Toby Whitlock, Rich Bernardi).
- In regard to the upcoming holiday dinner meeting in December hosted by the Somerset County Governing Officials' Association it was agreed to follow past practice of authorizing funds (approximately \$35/person) for the attendance of spouses/significant others to also attend the dinner. Motion was made by Witt with a second by Griner confirming the action. Motion carried on roll call vote – all ayes.

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

The following items were added to the agenda:  
Unfinished Business – PSE&G cutting of limbs and replacement of wires;  
New Business – PARIS – Records Management

**PUBLIC COMMENT**

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

Peggy Harris, resident – Ms. Harris was provided with the status of the leaf pickup.

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

**STATE POLICE REPORT**

None at this time.

**ENGINEER'S REPORT**

Report dated 11/1/07 for October 2007 was received and distributed (copy on file in Borough Clerk's Office).

- County Park Project - Engineer Tanner provided an update on the restrooms at VanHorne Park which should be installed by next week. Quotes will be re-solicited for the structure for the picnic area due to a change in the specifications for the lumber. Quotes are being solicited for the wild-flower mowing area.

Engineer Tanner will ask ARC to do the trash pick-up in the Borough's parks (approx. every 2-3 weeks for now) while waiting for the restrooms and trash cans to be installed at VanHorne Park.

- Grove St. – Grove Street has been milled and paving will be done on Wednesday; the sidewalks are in, however, there was some minor damage to same which will be taken care of by the contractor.

- Trails Grant for VanHorne Park – Based on meetings held by the park committee, it was recommended to limit the trails in the wetlands area from Crescent Ave. into the main Park path system. Engineer Tanner will be exploring ways to divert water that sits on the path towards the wood line as well as water run off at the sound end of the trail in the area of the Johnson residence.

- Sidewalk Project – Bid specifications will be sent out for return on December 5, 2007, for award of contract by the end of this year.

- Other – Councilmember White will forward a copy of the e-mail received from PSE&G regarding the replacement of the lines on Washington St. and Montgomery Ave. to Engineer Tanner for his information.

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

#### **CHIEF FINANCIAL OFFICER'S REPORT**

Budget Revenue report as of 11/4/07, Report of Budget Expenditures as of 11/4/07, and Miscellaneous Revenue Anticipated Report as of 11/1/07 was distributed by CFO Bobal. CFO Bobal stated that the Borough's budget is on a good schedule, spending is below what was anticipated, and the tax revenues have covered the Borough's expenditures noting the Borough's high tax collection rate. Motion was made by Griner with a second by Witt to accept the CFO's reports. Motion carried on roll call vote – all ayes.

#### **APPROVAL OF VOUCHERS**

Motion was made by Witt with a second by Griner for the approval of the vouchers/bill list as presented. Motion carried on roll call vote – all ayes. In response to concern by Councilman Witt as to the high cost of the printing of business cards, Mayor Zimmerman indicated that alternative options are being explored.

#### **SPECIAL BUSINESS**

**Introduction - Ordinance #12, 2007 – “AN ORDINANCE AMENDING ORDINANCE #7-87, ENTITLED, AN ORDINANCE REPEALING ORDINANCE NOS. 7-86 AND 7-87 AND ADOPTING A NEW ORDINANCE WHICH COMBINES THESE TWO (2) ORDINANCES INTO ONE (1) UNIFIED ORDINANCE ESTABLISHING A MANDATORY PROGRAM FOR THE SEPARATION AND COLLECTION OF RECYCLABLES, AND FIXING PENALTIES FOR THE VIOLATION THEREOF IN THE BOROUGH OF ROCKY HILL, SOMERSET COUNTY, NEW JERSEY”** - as filed in the Borough Clerk's office was read by title. Copy of the proposed ordinance was distributed by Attorney Cruz who provided an overview of the ordinance which includes amendments per recommendation by the County as follows: New definitions have been added, building permit compliance has been added, design standards have been added (which should not have impact on the Borough since they refer to the construction of 50 or more single family dwelling units), the option for exemptions has been included. Borough Clerk Griffiths advised that she spoke to Diana Vigilante, Manager, of the Somerset County Division of Waste, who indicated that it would be acceptable for the Borough to introduce the ordinance at the 11/19/07 meeting with adoption at the 12/3/07 meeting in order for Council to have sufficient time to review said ordinance. It was noted that the adoption of the ordinance could aid the Borough in receiving recycling grants. Recycling Coordinator Whitlock indicated that the revised ordinance is no more burdensome on homeowners. In response to question raised by Attorney Cruz as to whether or not the County is requiring recyclables to be separated and whether there needs to be additional containers, confirmation will be sought from the County. A copy of the proposed ordinance will also be provided to the County for their review and approval prior to adoption of same. Ordinance to be rescheduled for introduction at the 11/19/07 meeting.

#### **COMMUNICATIONS:**

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

- Email correspondence from PSE&G to Mayor Zimmerman and Councilmember White to be added to communications.

#### **UNFINISHED BUSINESS:**

**COAH Affordable Housing Administrator Update** – Copies of e-mail correspondence dated 10/26/07 and 11/5/07 from Attorney Cruz were distributed. Solicitation letters (composed by Attorney Cruz and Planner Kimball) have been sent by Attorney Cruz to five individuals/agencies for interest in the affordable housing agent position with the Borough. It is anticipated that an agent will be appointed some time in December and subsequent report of appointment will be made to COAH. The accessory apartment program ordinance (previously reviewed by the Planning Board in 2006) will be scheduled for introduction and adoption after such time as COAH approves the Borough's affordable housing plan. It was requested that any comments or questions on the solicitation letters by Council members be forwarded to Attorney Cruz.

**Council/Court Room Renovations Update** – Mayor Zimmerman advised that the square footage calculation used for the carpeting for the meeting/court room was miscalculated whereas the substation area was not factored into the measurement. Motion was made by Griner with a second by Goldman authorizing an increase in the expenditure for the carpeting from \$2,000.00 to \$2,500.00 in order for the carpeting to be done in the substation. Motion carried on roll call vote – all ayes.

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**PSE&G – Cutting of Limbs and Replacement of Wires** – Mayor Zimmerman and Councilmember White met with representatives of PSE&G about the tree trimming which will take place in a week or two. PSE&G has agreed to give notice of when the cutting will be done and they will knock on doors of residents for permission. They have agreed to trim back 8 ft. from the wires (electric) and they will send a special crew to trim the pear trees. The PSE&G representatives will be accompanied by a member of the Shade Tree Commission. Councilwoman White will make PSE&G aware of the need for trimming of wires on Skillman Ave. per request of Cliff Moore.

**NEW BUSINESS:**

**Somerset County Community Development 2007-08 Housing Rehabilitation Program – Renewed Participation** – Motion was made by Witt with a second by Goldman to authorize the Borough's renewed participation in the 2007-08 program. Motion carried on roll call vote – all ayes.

**PARIS – Records Management** – Deputy Clerk Whitlock attended a meeting held by County representatives regarding the 2008-09 PARIS grant application process. The County is requesting a response from the Borough as to the following: 1) Whether the Borough wishes to participate with the County in the 2008-09 grant application for scanning and disaster preparedness or whether the Borough wishes to proceed with an individual application; 2) In regard to the purging and reorganization aspect of the project, it was agreed that the PARIS funding would be provided by the County to the municipalities in one of three ways or a combination of: a. Funding local personnel, at an overtime rate if necessary, to do the work; b. Providing County-hired "SWAT" teams to do the work under local supervision; or c. Hiring an outside firm to do the work under local supervision. Recommendation was made by Councilmember Goldman, Clerk Griffiths, and Deputy Clerk Whitlock for the Borough to participate with the County in the 2008-09 program and for the Borough to solicit the help of the county-hired "SWAT" teams to do the work under local supervision. Motion was made by Goldman with a second by Banks concurring with the recommendations made. Motion carried on roll call vote – all ayes. Ms. Goldman advised that the County is seeking individuals who may be interested in participating on the County SWAT team at a rate of \$25-30 per hour.

**PUBLIC COMMENT**

Cliff Moore, resident, was apprised of the recent decision handed down regarding the Citizens for Responsible Growth v. Rocky Hill Planning Board.

Councilmember White thanked the fire department and Borough Constables for their assistance in ensuring a safe trick-or-treat night in the Borough.

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

**ADJOURNMENT:**

Motion to adjourn the meeting at 8:45 PM was made by Witt with a second by Griner. Motion carried on voice vote – all ayes.

Respectfully submitted:

Donna M. Griffiths, RMC  
Borough Clerk