

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
March 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.

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 notice 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, Mr. William Hallman-present, Mr. Dan Harrington-present, Mr. Jared Witt-present.

Absent: Mr. Brian Griner, Ms. Courtney White

Also present: Deputy Borough Clerk Raymond Whitlock, Borough Attorney Albert Cruz, Borough Engineer William Tanner, Chief Financial Officer G. Ross Bobal.

APPROVAL OF MINUTES

Regular Minutes - February 20, 2007 - Motion was made by Witt with a second by Harrington to approve the minutes as presented. Motion carried on roll call vote - all ayes; Hallman-abstain.

Executive Session Minutes - February 20, 2007 - Motion was made by Witt with a second by Harrington to approve the minutes with correction of typographical error. Motion carried on roll call vote - all ayes; Hallman-abstain.

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

Councilman Witt requested that discussion be placed on the agenda regarding a hiring process for the Borough Constable position; to be discussed under "Unfinished Business" - Possible Appt. of Constable.

PUBLIC COMMENTS

Cliff Moore, resident of Skillman Ave. requested the Borough's consideration of maintenance of Skillman Ave., i.e. replenishing gravel as needed. Mr. Moore explained that plowing and maintenance on the road currently end at the paved section and the remainder of the gravel portion is his responsibility. Due to the fact that the road is used for rescue/fire events and parking for visitors at the Green Acres site, Mr. Moore is requesting that this portion of the road be included in future road maintenance. Attorney Cruz advised that Mr. Moore maintains an easement for egress/ingress. Question arose as to whether the Borough is able to do maintenance to a private right-of-way on public property. Attorney Cruz will refer to his file on this matter and report back. Engineer Tanner will also investigate further. Discussion carried to the 3/19/07 meeting under Committee Reports (Streets & Roads).

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

STATE POLICE REPORT

Report not received; meeting scheduled for tomorrow with representatives from the State Police.

ENGINEER'S REPORT

Report dated March 2, 2007, for February 2007 was received and distributed (copy on file in the Borough Clerk's Office). The following items were discussed:

County Park Project - punch list of outstanding items was provided to Mayor and Council and a copy will be forwarded to the contractor for finalization of Phase I. Bids for Phase II will be received this week.

06/07 Local Aid - Grove St. - Field work has been completed; plans will be provided to the County this week. In response to the Borough's request as to whether these funds may be used for the water line, the Local Aid Office has advised that we can *not* use the monies for this purpose but we can look into using the funds for sidewalks and curbs.

County Roadway Marking Program Survey - Engineer Tanner advised that request was made last year for the crosswalks on Washington St. to be done, however, the County requested that we hold off. Request will be made again this year. Engineer Tanner will research other areas for consideration.

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Trails Grant for VanHorne Park - Nature Trails Plan dated March 2007 was provided by Engineer Tanner detailing the route of the trails within the wetlands area of the park. The trail will be comprised primarily of wood chips; there will be no tree removal. Suggestion was made that the Boy Scouts be contacted for possible help with this project. Engineer Tanner will follow-up. Suggestion was also made that wood decking be considered for portions of the trail to help avoid some erosion problems. Engineer Tanner will explore this option.

Public comment: Jan Lovy, resident of Crescent Ave., was present and expressed concern with problems being incurred due to the overflow of the pond. Engineer Tanner suggested that a larger drain in the pond may help in alleviating the problem. He will meet with Mr. Lovy to try to resolve the problem.

DEP Wetlands Application was presented for signature by Mayor Zimmerman. Motion was made by Witt with a second by Hallman authorizing the Mayor's signature on the application. Motion carried on roll call vote - all ayes. The application will be forwarded to the County also for signature.

Other:

Councilman Hallman suggested that HUD grant opportunities be explored specifically relative to ADA requirements for the fire house.

Public Comments/Questions: Hearing none, the floor was closed.

CHIEF FINANCIAL OFFICER'S REPORT

- CFO Bobal was present and provided Budget Trial Balance Appropriation Reserve Statement as of 2/28/07.
- It was agreed that a budget workshop meeting will be scheduled for Mayor and Council on March 15, 2007, at 7:00 PM. Auditor Morrison, CFO Bobal, and Deputy Clerk Whitlock will also attend.
The meeting will be noticed accordingly by the Clerk.
- Mayor Zimmerman requested follow-up by CFO Bobal on a procedure for collecting non-tax revenue.
- Attorney Cruz will follow-up on the previous agreement with Sunyses, Inc. regarding the fees due.
- Copy of the Borough's 2006 Annual Financial Statement as filed with the State by Auditor Morrison was received.
- Notice was received from the Somerset County Planning Board regarding an outstanding Municipal Planning Partnership Grant offered to the Borough from 2003 (Village Center Design Guidelines - Historical Preservation Ordinance). CFO Bobal will research the Borough's grant monies.
Response to the County on this outstanding grant is due by 3/22/07.

APPROVAL OF VOUCHERS TO BE PAID

Motion was made by Hallman with a second by Harrington for the approval of the bill list as presented. Motion carried on roll call vote - all ayes. (Appendix 1).

SPECIAL BUSINESS

ORDINANCE #1, 2007 - "ORDINANCE AMENDING AND SUPPLEMENTING SECTION OF ORDINANCE #7, 2005, TITLED, "AN ORDINANCE TO ESTABLISH THE FEES TO BE CHARGED FOR INSPECTION AND REPRODUCTION OF GOVERNMENT RECORDS" - Ordinance as filed in the Borough Clerk's Office was read by title. Borough Clerk Griffiths provided an overview of recommended changes to the ordinance. In regard to the cost of duplication of CD's it was agreed that "the actual cost of the CD" be incorporated into the ordinance as recommended by Attorney Cruz. All were in agreement with the changes as noted. Motion to introduce was made by Hallman with a second by Witt. Motion carried on roll call vote - all ayes. Public hearing scheduled for April 2, 2007, at 7:30 PM at Borough Hall.

COMMUNICATIONS:

- Communications as listed on the agenda were disseminated and/or ordered filed.
- Notice of award of a Clean Communities Grant in the amount of \$4,000.00 was received from DEP
 - Mayor Zimmerman advised of his appointment to a NJLM Executive Committee on Funding for Rural Policing by the NJSP. In response to a request for support by Mayors for a proposed court surcharge, all were in agreement with Mayor Zimmerman's support of same.
 - Notice of COOP/COG (Disaster Plan) training was received from the County. Mayor Zimmerman and Councilmembers Hallman or Banks will attend the training session to be held on 4/19 and 4/20/07.

UNFINISHED BUSINESS:

Possible Appointment of Borough Constable - Councilman Witt advised that response has been received from two candidates. He suggested that a hiring process be established to include an application, job description, and criminal background check. A subcommittee consisting of Councilmen Banks, Hallman, and Witt were appointed to oversee the hiring process and report back with a recommendation to

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Mayor Zimmerman. Attorney Cruz was requested to draft an ordinance for the Constable position.

NEW BUSINESS:

Discussion of Tennis Camp - Recreation Committee representative, Melissa Bernardi, appeared before Mayor and Council to present a proposal for a tennis camp offered by the Princeton Tennis Program (PTP).

The PTP is requesting the use of the Borough's tennis courts from 6/25-8/17/07 (M-F) to hold their tennis program and will offer 40 free slots (children 5-12 yrs. old) to the Borough in exchange. Discussion ensued regarding bathroom facilities, maintenance of same, enrollment process for the 40 free slots, roll-over option of 40 slots. It was the consensus that this would be a worthwhile program, however, it was agreed that the following issues need to be addressed by the PTP: option for a port-a-john should be explored, roll-over option of the 40 slots needs to be spelled out; insurance certificate must be provided. Ms. Bernardi will report back to Mayor Zimmerman with her findings and a resolution of approval will be prepared.

Request for Letter of Support - Participation with County for PARIS Grant - Request was made from the County for letter of support for continued funding for the County PARIS Grant. There is no cost to the municipalities. Motion to approve letter of support by the Mayor was made by Witt with a second by Hallman. Motion carried on roll call vote - all ayes.

PUBLIC COMMENT

Hearing no comments/questions, the floor was closed.

ADJOURNMENT:

Motion to adjourn the meeting at 9:08 PM was made by Witt with a second by Hallman.

Motion carried on voice vote - all ayes.

Respectfully submitted:

Donna M. Griffiths, RMC
Borough Clerk