

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
April 16, 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 and a moment of silent meditation in wishing a speedy recovery to Governor Jon Corzine and resident Beverly Panicaro.

**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. Brian Griner-present, Mr. William Hallman-present, Mr. Dan Harrington-present, Ms. Courtney White-present, Mr. Jared Witt-present.

Also present: Deputy Borough Clerk Raymond Whitlock, Borough Auditor Robert Morrison.

**MAYOR'S COMMENTS**

Mayor Zimmerman expressed his appreciation to members of Council and the Fire Department for their assistance with the flooding issues that have occurred within the past two days. Mayor Zimmerman also noted that a pair of GPS devices has been donated to the Rocky Hill Fire Department by several, local business owners as well as himself. Request to silence all cell phones, pagers, electronic devices was made.

**PROCLAMATION - ARBOR DAY**

The Mayor presented a Proclamation declaring April 28, 2007 as the 135<sup>th</sup> Anniversary of Arbor Day. An Arbor Day celebration will be included with the scheduled "Earth Day" celebration event. The recognition of these events will help in declaring the Borough a "Tree City" as requested by the Shade Tree Commission. (Appendix 1)

**APPROVAL OF MINUTES**

Regular Minutes - April 3, 2007 - Motion was made by Witt with a second by Banks to approve the minutes as presented. Motion carried on roll call vote - all ayes; Harrington-abstain.

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

None at this time.

**PUBLIC COMMENTS**

Cliff Moore, resident, requested an update on the research being done by Attorney Cruz in regard to the prior request for maintenance of Skillman Ave. by the Borough. Mr. Moore was advised that a

title search is being conducted.

### **APPROVAL OF VOUCHERS TO BE PAID**

Motion was made by Hallman with a second by Griner for the approval of the bill list as presented. Motion carried on roll call vote - all ayes. (Appendix 2)

### **DEPARTMENTAL REPORTS**

Motion was made by Witt with a second by Banks to accept the following reports as submitted:

- Tax Collector's Report - March 2007
- Court Administrator's Report - March 2007

Motion carried on roll call vote - all ayes.

### **COMMITTEE REPORTS**

**Administration & Records** - No report at this time;

**Buildings & Grounds** - No report at this time;

**Finance & Insurance** - No report at this time;

**Public Safety & Emergency Services** - Councilman Banks expressed appreciation to the Council members and Constables for all of their help in directing traffic during the rain/flood situation.

**Streets & Roads** - Councilwoman White expressed appreciation to the Fire Department members for their efforts the past two days. Ms. White advised that in speaking with the County it has been determined that

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approximately 14 of the 18 pedestrian signs need to be replaced this year. Discussion ensued in regard to whether there is an alternative sign that could be used due to the ongoing costs incurred to replace the current signs. An alternative type of sign will be looked into; discussion to be carried to the next meeting. Councilman Hallman suggested that our barricades be equipped with flashers and will price out a cost for same. It was also suggested that more cones be purchased for the Borough.

**Water, Sewer & Environmental Protection** - Councilman Banks provided a summary of the March 2007 Utilities Report as provided by Superintendent Larry Merk. Mr. Banks advised that he has received the quotes for the tree trimming to be done around the water plant and will present same at the next meeting. In response to questioning, Mr. Banks advised that he was not aware of any problems to the water/sewer facilities of the Borough due to the recent flooding but he will check with Superintendent Merk.

**Council Representative to Planning Board** - April meeting is cancelled.

**Council Representative to Board of Health** - **Zoning Official** - No report at this time.

**Grants Official** - No report at this time.

### **SPECIAL BUSINESS**

#### **Annual Report of the Rocky Hill Hook and Ladder Company / Discussion of Possible Purchase of New Fire Truck**

Chief Todd Harris provided a detailed presentation of the Fire Department's activities as outlined in the 2006 Annual Activity Report which includes incidents to date in 2007 (copy on file in Borough Clerk's Office). Also presented was request for the replacement of Engine #532 (included in report on file). The truck that would be replaced is currently 25 years old. Chief

Harris indicated that two, Class A pumpers are required in keeping with the ratings of the ISO Public Protection Classification Program which establishes fire insurance premiums for residential and commercial programs. Design concept for new engine was provided; cost approximated at \$360,000. Chief Harris indicated that the design of the truck under consideration would be sufficient to meet the needs of the Borough and the apparatus would also fit in the fire house as it exists currently.

Discussion ensued by Mayor and Council regarding the budgeting process of this request. Borough Auditor Bob Morrison provided a summary of the Borough's current budget and the process that would be followed if the Borough opted to adopt a bond ordinance to fund this purchase. He noted that there are monies available from the capital improvement fund for the 5% down payment, the Borough could authorize the debt for the difference in the way of short term notes if needed, the local taxes would not have to be raised this year due to this purchase.

In response to question raised as to whether there are available FEMA grants to help with funding, Chief Harris advised that it would be unlikely that the Borough would receive any funding from this source. Information on USDA Rural Development Fire and Rescue Loans dated 4/12/07 as received by the Mayor was provided to Chief Harris for further investigation. In response to questioning, Chief Harris advised that it would be costly to refurbish and maintain the existing truck; Montgomery Township contributes monies to the fire department for their operating budget only; the Borough will gain in their ISO rating with the addition of the new truck; the fire department will sell the existing truck and apply the monies received towards the purchase of the new truck.

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

Motion was made by Griner with a second by Harrington authorizing Auditor Morrison to draft a bond ordinance for consideration at the next meeting. Motion carried on roll call vote - all ayes.

**Public Hearing - ORDINANCE #2, 2007 - "ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK".**

Ordinance as filed in the Borough Clerk's Office was read by title. Proof of publication was presented by the Borough Clerk. The hearing was opened to the public. Hearing no comments/questions, the floor was closed. Motion to adopt the ordinance was made by Witt with a second by Griner. Motion carried on roll call vote - all ayes.

**Public Hearing - Resolution #2007-32 - 2007 ROCKY HILL BOROUGH MUNICIPAL BUDGET**

Auditor Morrison advised of a few outstanding items that need to be addressed at the request of the State before they will authorize approval of the budget as follows: the cap calculation provided for the Borough's insurance line item must be amended which will require a formal budget amendment. Auditor Morrison will prepare the budget amendment for introduction at the next meeting; Resolution requesting Permission for the Dedication by Rider - Open Space Taxes must be provided to the State along with a certified copy of the Open Space Tax Referendum results from the November 2006 election (action to be taken this evening on the adoption of said resolution); Resolution of fees paid by Pulte Homes will be addressed by CFO Bobal.

The Borough Clerk provided proof of publication of the budget hearing. The hearing was opened to the public. There were no comments/questions at this time. Mayor Zimmerman advised that the public

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hearing on the budget will be continued to the May 7, 2007, meeting of Council at 7:30 PM in Borough Hall.

**Resolution 2007-35 - Resolution Requesting Permission for the Dedication by Rider - Open Space Taxes - Approved by Borough Voters** - Motion was made by Hallman with a second by Banks to approve the resolution contingent upon correction of a minor typographical error. Motion carried on roll call vote - all ayes.

#### **COMMUNICATIONS:**

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

Mayor's Communications:

- Letter addressed to the Mayor from the Somerset County Office of Emergency Management dated 4/10/07 was received regarding a grant received by the County for the installation of a county-wide Emergency Alert Notification System. The County will be notified that Alan Querec is the contact person for further information regarding this matter.
- Copy of the USDA Rural Development grant information letter dated 4/12/07 was provided to Councilman Hallman.
- Response was provided to the US Census Bureau that Engineer Tanner would be the contact for the Census meetings that are being conducted.
- Letter dated 4/13/07 from the Department of Transportation, Re: Center of Place funding through NJDOT was received; copy provided to Councilman Hallman.

#### **UNFINISHED BUSINESS:**

**Discussion of Rules for Public Videotaping of Municipal Meetings** - draft ordinance was received from Attorney Cruz; discussion carried to next meeting.

**Revaluation Meeting with Somerset County Board of Taxation** - Mayor Zimmerman advised that he, along with Tax Assessor George Sopko, met with representatives of the Somerset County Board of Taxation in regard to an anticipated revaluation of the Borough. The County is amenable to working out a completion date for the Borough for possibly the year 2010. Mayor Zimmerman will be meeting again with the County for a final decision as to date.

#### **NEW BUSINESS:**

**Request for Use of Panicaro Park - First Reformed Church** - Motion to approve the request for the use of Panicaro Park by the Church on June 10, 2007, was made by Witt with a second by Griner. Motion carried on roll call vote- all ayes; Banks-abstain.

#### **PUBLIC COMMENT**

Hearing no comments/questions, the floor was closed.

#### **EXECUTIVE SESSION - Police Services**

Mayor Zimmerman advised in open session that South Bound Brook is receptive to the renewal of

the agreement for police services for an additional six months based on the same contract in place with no change in rate. The contract will expire in November 2007. Request was made of Mayor Zimmerman for authorization to request a change in the expiration date to December 31, 2007. Motion was made by Witt with a second by Griner authorizing the Mayor to request an extension through December 31, 2007. Motion carried on roll call vote - all ayes.

It was determined that an executive session meeting would not be required at this time.

**ADJOURNMENT:**

Motion to adjourn the meeting at 9:20PM was made by Witt with a second by Griner. Motion carried on voice vote - all ayes.

Respectfully submitted:

Donna M. Griffiths, RMC  
Borough Clerk