

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
May 21, 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 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 Attorney Albert Cruz

**MAYOR'S COMMENTS**

Mayor Zimmerman offered well wishes to Engineer Tanner on his recent surgery. Congratulations wishes were extended by the Mayor to Borough residents, Miranda Delahoy, Patrick Delahoy, and Rob Zimmerman upon their recent college graduation as well as to Elizabeth Tanner and Brandon Griffiths, children of Borough Engineer Tanner and Borough Clerk Griffiths. Mayor Zimmerman advised that he will be participating in the NJLM sponsored, "Mayor's Cook-Off" to be held on June 6, 2007, in Parsippany, NJ. Borough Restaurant One 53 has volunteered to assist the Mayor at this event. Request to silence all cell phones, pagers, electronic devices was made.

**APPROVAL OF MINUTES**

Regular Minutes - May 7, 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; Griner-abstain

Executive Session Minutes - May 7, 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; Griner-abstain

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

The following agenda items were added under New Business:

- Posting of Flags on Route 518;
- Memorial Day Ceremony at Panicaro Park;
- Report of Coyote in the area.

*(The agenda order of business was changed at the direction of the Mayor -Approval of Vouchers addressed after Special Business)*

**PUBLIC COMMENT**

Cliff Moore, resident, reported that in response to the possible sighting of a coyote, there is in fact a fox that is in the area.

Peggy Harris, resident, reported that the sign at the cemetery has been hit. Councilwoman White will follow-up on this incident.

Martin Englebrecht, resident - In regard to the installation of the pedestrian signs, Mr. Englebrecht urged that contact be made with Somerset County for follow-up whereas during his tenure as Councilman, a presentation was made by the County as to recommended traffic calming devices.

### **DEPARTMENTAL REPORTS**

Tax Collector's Report - April 2007  
Court Administrator's Report - April 2007  
Court Administrator - Annual 2007 Violation Report

Mayor Zimmerman noted the favorable review that was received for our Court by Bob Gardner, Municipal Division Manager of the Office of Administrative Courts.

Motion to accept the reports as submitted was made by Hallman with a second by Griner. Motion carried on roll call vote - all ayes.

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### **COMMITTEE REPORTS**

**Administration & Records** - discussed under New Business;

**Buildings & Grounds** - Councilman Harrington is following up on the low hanging wire between Green Acres and the First Aid Squad. The wire is believed to be a phone wire and will be reported to Verizon;

**Finance & Insurance** - Nothing to report at this time;

**Public Safety & Emergency Services** - Councilman Hallman reported that the constables are issuing warnings for low hanging trees; South Bound Brook Police are issuing reports to Council members; No report received from NJSP - meeting will be scheduled with Captain Roselle of the NJSP.

#### **Streets & Roads** -

Councilwoman White advised that information regarding road closings will be exchanged with Princeton Township Police, Montgomery Township Police, and OEM Coordinator Alan Querec; pothole in front of the Merritt residence (Route 518) has been repaired; report of low hanging branches in front of the Philippi residence on Washington St. is being addressed by the County. It was noted that pedestrian signs are being blocked by low hanging trees - constables will be directed to the problem areas for follow-up by the residents. Street sweeping has been done as recommended at the prior meeting.

As a follow-up to previous discussion regarding the installation of the pedestrian signs, Councilwoman White provided photographs of various pedestrian signs utilized by neighboring municipalities and approximate costs. A total of 14 of the Borough's 18 signs are in need of

replacement at a cost of \$350 each which includes installation. Ms. White advised that she surveyed area residents and it was the consensus that the signs currently used (in the middle of the roadway) are the most effective contrary to the opinion offered by neighboring police departments and County personnel.

Discussion ensued as to the number of signs needed, location of same, and the timing of the installation of the signs. Map of the signs as previously installed was provided by Councilwoman White. It was agreed that a total of 14 signs should be installed and the following signs should not be installed: (1) Rt. 518 & Montgomery Ave. (near curb before stop sign); (1) at Crescent and Rt. 518 (at stop sign); (3) Crescent Ave. and Princeton Aves. (at stop sign); (1) on Montgomery near Toth Lane (as referenced on map). It was agreed to install two (2), new signs on Princeton Ave. on both sides of the crosswalk for the park. Recommendation was made for road striping in the area of this crosswalk also. Motion was made by Witt with a second by Banks to approve the expenditure of an amount not to exceed \$4,000.00 for the purchase of 10 new signs and directing the installation of the signs as soon as possible. Motion carried on roll call vote - all ayes. Councilwoman White will confirm with the County the time frame for installation of the signs.

**Water, Sewer & Environmental Protection** - No report at this time;

**Council Representative to the Planning Board** - Mayor Zimmerman reported on two applications that were approved at the Board meeting;

**Council Representative to School Board** - Councilman Witt advised of the recent appointments to the positions of President and Vice President, Janine Lacava and Maggie Hintz, respectively.

**Council Representative to Board of Health** - Councilman Hallman advised that the Board of Health has completed a contact list which will be distributed via the Community Group's newsletter; contact list to also be posted on the website.

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

**Grants Official** - Councilman Hallman will follow-up with RMA Morrison on grant/loan opportunities for the fire truck purchase; Grants Committee meeting to be scheduled.

## **SPECIAL BUSINESS**

### **Public Hearing -Resolution 2007-41 - Consideration of Adoption of 2007 Budget to include Budget Amendments**

Approval was received from the Division of Local Government Services for the adoption of the 2007 budget to include the amendments to same. Mayor Zimmerman provided an overview of the amendments made. The hearing for the budget amendments was opened to the public for comments/questions. Hearing none, the floor was closed. Motion to adopt the budget amendment resolution was made by Hallman with a second by Witt. Roll call: Banks-aye, Griner-aye, Hallman-aye, Harrington-aye, White-aye, Witt-aye. Motion carried.

**Resolution 2007-42/Agreement - Request to Renew Participation in Community Development Block Grant & Home Investment Partnership Programs for 2008-2010 with Somerset County** - Motion was made by Hallman with a second by White for the adoption of the resolution. Motion carried on roll call vote - all ayes.

**Resolution 2007-43 - Resolution Confirming Award of Quotes for Lawn Services** - Resolution confirming the award of quotes by Council at the May 7, 2007, meeting was presented. Motion was made by Hallman with a second by White for the adoption of the resolution. Motion carried on roll call vote - all ayes; Griner-abstain.

**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.

**COMMUNICATIONS:**

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

- Letter addressed to Mayor Zimmerman dated May 16, 2007, from Senator Menendez, RE:

Local

Hazard Mitigation Plans was received

**UNFINISHED BUSINESS:**

**Rocky Hill Classic Bicycle Race Update - Tom Licker, Event Manager** - Mr. Licker appeared before Mayor and Council with an update on the impending bike race. The USAC permit has been approved; the fundraising committee has received over \$2,000.00 in commitments; there are approximately 25 participants registered to date; an estimated 200 citizens are expected to turn out for the event. In response to questioning by Mayor and Council, Mr. Licker advised that information on the event may be found at [www.bikerace.com](http://www.bikerace.com) and information has been provided to the Star Ledger and Asbury Park Press. Recommendation was made by Council for additional, local advertisement of the event to include the posting of flyers locally, advertisement in local papers to include the Courier News, and the possibility of hanging a banner on Route 518. Mr. Licker will be providing door-to-door notice to residents and businesses in the area of the event this weekend. Insurance information has been filed and approved by Ted Merritt. Signs are in the process of being painted.

**Public Comment:**

**Peggy Harris, resident** - In response to questioning about costs of police coverage, Ms. Harris was advised that the costs are being paid by the promoter and the fundraising; not the Borough.

**Peggy Merritt, resident** - Ms. Merritt was provided with information about the race in regard to point designation and the location of the designated parking areas. Ms. Merritt was directed to the website [www.eventmg.com](http://www.eventmg.com) for information about the set-up plan.

It was agreed that Mr. Licker would attend the second meeting in June for further updating.

**Park Night Approvals** - Melissa Bernardi appeared on behalf of the Recreation Committee. Motion was made by Griner with a second by Banks for the expenditure of funds not to exceed \$300.00 from the Recreation O.E. budget for entertainment for park nights scheduled for July 13<sup>th</sup> and August 10<sup>th</sup>.

Motion carried on roll call vote - all ayes.

**Discussion of Rules for Public Videotaping of Municipal Meetings** - Draft ordinance was distributed and discussed. Resident Cliff Moore offered suggestions regarding the use of hand-held equipment vs. stationary equipment. It was agreed to add the following guidelines to the draft ordinance: hand-held cameras must be unobtrusive; stationary equipment must be set up at least fifteen minutes prior to the meeting; the Clerk is to receive verbal notification of a citizen's

request for videotaping at least 15 minutes prior to the meeting; written requests may be made via e-mail to the Clerk within a 24 hour period; the Clerk's e-mail address will be included in the ordinance; stationary equipment will be set up in the southeast corner of the meeting room diagonal from the Mayor's chair in an area not to exceed 4 ft. x 3 ft. (as designated by the Clerk) and not to obstruct the existing exit door. Borough Clerk Griffiths will incorporate the recommended changes for further review by Attorney Cruz. Ordinance to be scheduled for introduction at the June 4, 2007, meeting.

**NEW BUSINESS:**

**Coyote Sighting** - Councilman Griner will contact Fish and Wildlife in regard to the recent possible sighting of a coyote. The NJSP and Montgomery Township Police Department will be contacted and advised of the situation.

**Memorial Day Ceremony at Panicaro Park** - In the absence of Mayor Zimmerman, Council President Witt will preside over the annual Memorial Day Ceremony at Panicaro Park. Motion to expend funds not to exceed \$150.00 for the purchase of a wreath of flowers for the event was made by Griner with a second by Witt. Motion carried on roll call vote - all ayes. Deputy Clerk Whitlock will order the flowers.

**Posting of Flags on Route 518** - It was noted that the Fire Department will hang the flags along Route 518. Deputy Clerk Whitlock advised that approximately 25 American Flags need to be replaced at a cost of approximately \$20-30 each. Motion was made by Griner with a second by Banks for the expenditure of funds not to exceed \$1,000.00 for the purchase of new flags. Motion carried on roll call vote - all ayes.

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**Codification of Ordinances** - Discussion ensued regarding the need to update the Borough's Code Book. It was noted that the ordinance book has not been updated since 2002 and the book in place is in need of formal adoption. Mayor Zimmerman advised that funds have been appropriated in the 2007 budget for this project. It was suggested to have the Clerk send the adopted ordinances (exclusive of the development regulations ordinances) to General Code to get an estimate of the costs for the review of the existing book and the inclusion of the subsequent ordinances. Motion was made by Banks with a second by Griner authorizing the Borough Clerk to request a quote from General Code for this project. Motion carried on roll call vote - all ayes. Possible posting and updating of the code book internally will be further discussed pending the outcome of the quote.

**PUBLIC COMMENT**

**Peggy Harris**, resident - Ms. Harris requested information on the projects planned for the year to include a prior request to have a light installed on the flag pole at Panicaro Park. Mayor Zimmerman advised that impending projects were discussed at the budget meeting and Engineer Tanner and the Recreation Committee will be meeting to determine whether funds may be used from last year's Recreation Grant for the installation of the light at the Park. Concern raised about the inability to access the Borough's 2007 budget on-line will be followed up Mayor Zimmerman.

**ADJOURNMENT:**

Motion to adjourn the meeting at 9:30PM was made by Griner with a second by Hallman.  
Motion carried on voice vote - all ayes.

Respectfully submitted:

Donna M. Griffiths, RMC  
Borough Clerk