

Approved 9/20/2010

**BOROUGH OF ROCKY HILL
AUGUST 16, 2010
COUNCIL MINUTES**

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 transmitted to the Courier News and Somerset Spectator on January 6, 2010. Notice remains continuously posted as to required notices under the Statute. 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. Jeff Donahue-present, Ms. Linda Goldman-present, Ms. Julia Hasser-present, Mr. Mark Pausch-present, Mr. Robert Steen-present.

Absent: None

Also present: Borough Attorney Albert Cruz, Deputy Clerk Raymond Whitlock, and CFO Joseph Monzo

MAYOR'S COMMENTS

-Mayor Zimmerman stated he received a letter stating the Board of Chosen Freeholders took action to award the Montgomery Township/Rocky Hill Municipal Youth Services Commission its annual funding. Mayor Zimmerman stated the ceremony to award the funds would take place on September 28, 2010 at the County Administration building in Somerville.

-Mayor Zimmerman stated that upon the resignation of the former chair of the Shade Tree Commission, he would like to appoint Nancy Lucas to the Committee. A motion was made by Goldman to appoint Nancy Lucas to the Shade Tree Commission. Motion was seconded by Banks. Motion carried on roll call vote.

For: Banks, Donahue, Goldman, Hasser, Pausch, Steen

Against: None

Abstain: None

-Mayor Zimmerman informed the Council that the annual Fall Summit would be at the Drumthwacket Estate this year. Mayor Zimmerman stated that this is an extremely beneficial summit. Mayor Zimmerman asked that the Council approve funds to allow Acting Borough Clerk Rebecca Newman to attend, as it would be an opportunity to meet many officials that she would frequently interact with. A motion was made by Goldman to approve funds for Mayor Zimmerman and Rebecca Newman to attend the summit. Motion was seconded by Hasser. Motion carried on roll call vote.

For: Banks, Donahue, Goldman, Hasser, Pausch, Steen

Against: None

Abstain: None

- Mayor Zimmerman stated that all paperwork was complete for recovery of funds from FEMA for the March 13, 2010 storm. Mayor Zimmerman stated the total of costs including both clean ups and tree trimming was \$16,500.00. Mayor Zimmerman informed the Council that 75% of that would come to the Borough and 25% would go to the fire department. Mayor Zimmerman stated he would keep the Council updated on this reimbursement, as more details emerge.

-Mayor Zimmerman updated the Council on the School Board litigation. Mayor Zimmerman stated he had a meeting with Mayor Ray Heck and the County Superintendent to determine what to do moving forward, since the judge has not rendered a decision yet. Mayor Zimmerman asked for additional funding not to

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exceed \$2,000.00, to have the attorney representing the Borough, Matthew J. Giacobbe, Esq., of Scarinci Hollenbeck, reach out and inquire about concluding this litigation. Council Member Donahue asked if there was any reason to rush a decision. Mayor Zimmerman responded that there is no rush, however, he would like to conclude the costly litigation, equalize the tax levy and obtain representation on the school board. Motion was made by Goldman to approve an amount not to exceed \$2,000.00 to conclude the litigation. Motion was seconded by Banks. Motion was carried on roll call vote.

For: Banks, Donahue, Goldman, Hasser, Pausch, Steen

Against: None

Abstain: None

-Mayor Zimmerman informed the Council he received an application from the Rocky Hill Community Group for the Rocky Hill Camp Out night. Upon his review of the application he found many issues. Mayor Zimmerman reminded Council of the process. If the Mayor does not grant permission, the aggrieved party has the right to appeal to the full Council. If the Council does not meet within the time frame needed for the event, a sub-committee, made up of the Council President, the Head of Finance and the Head of Public Safety, can hear the appeal. Mayor Zimmerman went on to site the numerous issues with the application and stated them as follows: The use of the Borough Hall for bathrooms, the security concerns, the date, which falls on a Jewish holiday and finally the issue of setting a precedent for the waiving of the dusk to dawn closure regulation. Mayor Zimmerman stated that it was his intention to instruct the Borough Clerk to deny the application. Council Member Donahue asked Tom Bremner, representative for the Community Group, if he would like to appeal the decision. Mr. Bremner stated he did not feel was prepared to make an appeal at this point. Mayor Zimmerman inquired as to whether or not the Community Group had spoken to the neighbors that border the Borough property that would be impacted by a large camp out. Mr. Bremner replied no. Mayor Zimmerman suggested that speaking to the neighbors' take place before another application be submitted. Council Member Banks stated there was also an insurance concern. The Boroughs insurance carrier Bollinger suggested that additionally, a 5 million dollar umbrella policy be taken out. A discussion ensued regarding the precedent that would be set if permission was granted. Attorney Cruz suggested that a resolution be drafted with clear guidelines for the basis in which the waiving of the dusk to dawn closure rule would be granted. Mr. Bremner thanked the Council for their feedback and indicated that the Community Group would re-start the application process, addressing the concerns with a camp out date in July of 2011.

APPROVAL OF MINUTES

Regular Meeting Minutes – July 19, 2010 – Motion was made by Hasser to approve the minutes as presented Motion seconded by Goldman. Motion carried on roll call vote.

For: Banks, Donahue, Goldman, Hasser, Pausch, Steen

Against: None

Abstain: None

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

Unfinished Business – Tennis items

PUBLIC COMMENT

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

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STATE POLICE REPORT

State police report dated 7/12/2010 for the period June 2010 as received from Assistant Station Commander Ronald Klem of the NJSP was summarized by Council member Pausch (copy on file in the office of the Acting Borough Clerk)

ENGINEER'S REPORT

Report dated 8/16/10 for August 2010 as received by Engineer Tanner was distributed and filed in the Borough Clerk's office. Engineer Tanner provided an overview of the report.

Mayor Zimmerman asked Engineer Tanner if he was able to review the HUMP repainting on Merrit Lane. Engineer Tanner stated he had, and it appeared the wrong paint was used. Engineer Tanner would follow up with the County on this issue.

Mayor Zimmerman also asked that Engineer Tanner utilize the County inmates to weed the parks in the Borough, as well as the front of Borough Hall.

Van Horne Park - Engineer Tanner stated he was not able to get an update on the restrooms at Van Horne Park due to vacations. Engineer Tanner stated he received a quote from Montgomery for repairing the pond issues. Engineer Tanner felt the quotes were reasonable, however he recommended the Borough solicit a quote from JML as well, as a comparison.

Water Tower Cell Antennas – Engineer Tanner stated that they are still waiting on an inspection on the tank to ensure no damage occurred while installing the antennas.

Sewer Billing- Montgomery Township – Engineer Tanner stated a meeting would be set up in September to discuss the ongoing issues.

Mayor Zimmerman stated the Borough had made a good faith payment of \$65,000.00 last year to Montgomery Township. This payment represented the portion of the sewer charges that were not in dispute. Mayor Zimmerman asked that the Borough make the same good faith payment again this year. Motion was made by Goldman to approve a good faith payment of \$65,000.00 to Montgomery Township. Motion was seconded by Steen. Motion carried on roll call vote.

For: Banks, Donahue, Goldman, Hasser, Pausch, Steen
Against: None
Abstain: None

Waste Removal Services Contract 2010 – Engineer Tanner stated that he was waiting on an updated maintenance bond from Republic Services.

Reeve Road – Engineer Tanner distributed copies of the completed grant application for the Reeve Roadway Preservation.

Resolution 2010-59 Resolution to For Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Reeve Road Reconstitution

Motion was made by Goldman to approve the resolution as presented. Motion was seconded by Steen. Motion carried on roll call vote.

For: Donahue, Goldman, Hasser, Pausch, Steen
Against: None
Abstain: Banks

Crosswalk Signs - Engineer Tanner distributed copies of the completed grant application for various crosswalk improvements to ensure pedestrian safety.

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Resolution 2010-60 Resolution for Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Pedestrian Crossing Various.

Motion was made by Donahue to approve the resolution as presented. Motion was seconded by Pausch. Motion carried on roll call vote.

For: Donahue, Hasser, Pausch, Steen
Against: None
Abstain: Banks, Goldman

Council President Goldman asked if the funds for the Bike Grant had been returned yet. Engineer Tanner replied they have not. Council President Goldman suggested a raised wooden path be created connecting the parks since other materials were cost prohibitive. Engineer Tanner stated he would look into it, however, he was unsure if a wooden path would be acceptable under the terms of the grant.

PUBLIC COMMENT

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

Peggy Harris, 66 Crescent Avenue- Ms. Harris asked if the solar powered crosswalk signs were installed, would the Borough remove the signs that are currently in place. Engineer Tanner stated there would be a precursor to the intersection which would be a sign with a person on it, but the overall intention was to remove the old signs.

Cliff Moore, Skillman Ave., - Mr. Moore asked the amount of the grant for the pedestrian crosswalks. Engineer Tanner replied \$106,000.00.

Floor was closed to the public.

CHIEF FINANCIAL OFFICER'S REPORT

No report at this time.

DEPARTMENTAL REPORTS

Tax Collector Report - July 2010
Court Administrator Report – July 2010

Mayor Zimmerman summarized the Court Administrator's report for the month of July 2010. Motion was made by Goldman to accept the reports as presented. Motion seconded by Hasser. Motion carried on voice vote – all ayes.

APPROVAL OF VOUCHERS

Bill list dated August 16, 2010 was presented for approval. Motion was made by Goldman to approve vouchers with the exception of 6112. Motion seconded by Banks. Motion carried on roll call vote.

For: Banks, Donahue, Goldman, Hasser, Pausch, Steen
Against: None
Abstain: None

Motion was made by Goldman to approve voucher 6112. Motion was seconded by Banks. Motion carried on roll call vote.

For: Banks, Goldman, Hasser, Pausch, Steen
Against: None
Abstain: Donahue

COMMITTEE REPORTS

Administration & Records – Council President Goldman informed the Council that there was an 11% decrease in activity to the website over all and a 20% decrease in unique visitors. Council President Goldman stated she would discuss the codebook revisions later in the meeting.

Buildings & Grounds - Nothing at this time.

Finance & Insurance – Nothing at this time with the exception that the workman's compensation audit had been completed and the Borough received a report.

Public Safety & Emergency Services – Council Member Pausch informed the Council that Constable Dori had been out inspecting the town for curbside brush and limb debris. A letter was sent to 1 Montgomery Avenue regarding the debris informing the homeowner the next action would be a summons.

Streets & Roads – Council Member Hasser received notification from PSE & G that their new cable is up and functional. Deputy Clerk Whitlock stated that the Borough is still missing a streetlight. Deputy Clerk Whitlock stated that the pole that came down during the March storm had a street light on it. PSE & G has replaced the pole, but not the light. Deputy Clerk Whitlock stated the new pole does not have a number however it is between pole #60038 & 60040. Mayor Zimmerman stated he received notification that PSE & G would begin solar panel installation on their poles within the Borough in the near future. Council Member Hasser stated Mr. Donato's contractor repaired the trench on Washington Street that had been sinking. Council Member Hasser stated she received an email from the County stating they did not see a need to have a traffic study done at this time. Council President Goldman expressed her concern for this response, as there is increased truck volume. Council President Goldman stated that the County made recommendations 10 years ago to install the newest technology of brick crosswalks. The County has acknowledged that these do not work, however nothing had been offered as a solution at this time.

Water, Sewer & Environmental Protection – Council Member Steen reported that 2,852,000 gallons of water had been pumped from well # 2 and no water needed to be purchased from NJAW Company. Council Member Steen reported that the Montgomery Sewer plant installed a backflow preventer. Council Member Steen stated that all test results were well within the acceptable limits.

Council Representative to Planning Board – Council President Goldman stated the August Planning Board meeting had been cancelled.

Council Liaison to School Committee – Nothing at this time.

Council Representative to Board of Health – Council President Goldman informed the Council the animal survey was completed.

Zoning Official's Report – Zoning Officer Whitlock stated he was informed that St. Elizabeth's Church would like to expand its parking lot. Zoning Officer Whitlock stated the applicant would have to present a site plan for approval before the Planning Board. Zoning Officer Whitlock stated the storm sewer runs through the area the Church would like to extend to, so that may need to be moved.

Grants Committee – Council Member Pausch informed the Council that Sustainable New Jersey did not approve the \$1,000.00 grant for the Borough.

SPECIAL BUSINESS

Presentation on Rocky Hill Rescue Squad Concerns – Mayor Zimmerman informed the Council that the rescue squad did not show for the meeting however they sent a written response, which was distributed to Council. Mayor Zimmerman stated he invited them and reminded them to attend the meeting. Council Member Pausch expressed that he was not comfortable with the response; as it was the bare minimum response and factually incorrect. Mayor Zimmerman stated that he had been in contact with the auditor and there has not been a tax return filed in several years by the rescue squad and there were several other issues. Council Member Donahue asked how officers are chosen, Mayor Zimmerman responded through an election by members. Council agreed to table the discussion to the next meeting.

Resolution 2010- 61 - Resolution to Establish Duplication Fees – Motion was made by Steen to approve the resolution as presented. Motion was seconded by Goldman. Motion carried on roll call vote.

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Against: None

Abstain: None

Resolution 2010-62- Resolution Authorizing Mayor and Clerk to sign first amendment to Developer's Agreement with Pulte Homes of NJ – Motion was made by Goldman to approve the resolution as presented. Motion was seconded by Banks. Motion carried on roll call vote.

For: Banks, Goldman, Hasser, Pausch, Steen

Against: None

Abstain: Donahue

Resolution 2010-63 – Resolution Authorizing an Increase in the Current Bid Threshold - Motion was made by Hasser to approve the resolution as presented. Motion was seconded by Donahue. Motion carried on roll call vote.

For: Banks, Donahue, Goldman, Hasser, Pausch, Steen

Against: None

Abstain: None

UNFINISHED BUSINESS

Sight Ordinance Discussion – Council President Goldman stated the concerns with the original Ordinance would adversely affect many homes. Council President Goldman stated with no delimiter in the original Ordinance, a home in the historic district would have had to be relocated. Council President Goldman informed the Council that verbiage has been added to the Ordinance to clarify that the properties that abut a stop controlled road that enter a through road, would need to adhere to the Sight Triangle Ordinance. Council Member Hasser inquired if people that are affected by this Ordinance should be invited to the meeting. Mayor Zimmerman stated the Ordinance has to be published in the paper and will be placed in several public places within the Borough, so residents are informed. Motion was made by Hasser to introduce the Ordinance to amend Chapter 185 “Vehicles and Traffic, of the code of the Borough of Rocky Hill” with a public hearing date of September 20, 2010. Motion was seconded by Steen. Motion carried on roll call vote.

For: Banks, Donahue, Hasser, Pausch, Steen

Against: Goldman

Abstain: None

Tennis Signs & Posts – Council Member Donahue informed the Council that two signs had been dropped off at the Borough Hall regarding the Tennis Court rules. Council Member Donahue stated that the signs were not ordered, just discussed with the County. The signs were shown to the Council and although the disclaimer was missing, the Council felt the signs stated the necessary details.

Council Member Donahue stated the gearing teeth are broken on each of the tennis net posts and the cost to purchase the gear will be \$95.00 each. Council Member Donahue stated that they would be installed voluntarily. Motion was made by Donahue to appropriate funds in an amount not to exceed \$250.00 pending verification from the CFO, to repair the 2 gears on the tennis post. Motion was seconded by Hasser. Motion carried on roll call vote.

For: Banks, Donahue, Goldman, Hasser, Pausch, Steen

Against: None

Abstain: None

NEW BUSINESS

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NJLM Resolutions - Mayor Zimmerman stated the NJLM was accepting resolutions for the conference. Mayor Zimmerman informed the Council that he is on the Resolution Committee and all resolutions need to be submitted by October 1, 2010.

Copier Discussion – Mayor Zimmerman stated that the contract for the current copier was up. Mayor Zimmerman presented several options to the Council. Motion was made by Banks to approve the lease of the new, higher capacity copier at the cost of \$124.50 per month. Motion was seconded by Goldman. Motion carried on roll call vote.

For: Banks, Donahue, Goldman, Hasser, Pausch, Steen

Against: None

Abstain: None

Second Borough Shred Day – Acting Borough Clerk Newman informed the Council that Montgomery Township is hosting a second shred day. All details were arranged by Montgomery Township. Acting Borough Clerk Newman stated the event would be held on September 18, 2010, and was open to all Rocky Hill residents as well.

COMMUNICATIONS:

Communications as listed were distributed, disseminated and filed accordingly.

FINAL PUBLIC COMMENT

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

Cliff Moore, Skillman Ave. – Mr. Moore inquired about the home on the corner of 518 and Montgomery Ave. that would be affected by the Sight Triangle Ordinance. Mr. Moore stated the moving or destruction of the vegetation on the property would create an issue with privacy. Mr. Moore suggested the Borough should consider offering an incentive to move the trees, perhaps an offer to pay for landscaping.

Peggy Harris, 66 Crescent Ave., - Ms. Harris asked for intersection clarification with regards to the Sight Triangle Ordinance. Ms. Harris also stated that the South Bound Brook Police should be enforcing the weight limits for many of the trucks on Borough Roads.

Tom Bremner, 17 Crescent – Mr. Bremner opined that a grandfather clause could be added to the Sight Triangle Ordinance that would protect structures. Mr. Bremner also suggested that perhaps Reeve Road be turned into a one-way road to alleviate some traffic issues. Mayor Zimmerman responded that option was looked into, however, another Borough Road would have to also be made one way in the opposite direction, which would negatively impact the Borough. Mr. Bremner asked if the rescue squad's current issues open the Borough up to any liabilities. Mayor Zimmerman responded no, as they are an independent entity.

The floor was closed to the public.

ORDINANCE DISCUSSION

Council President Goldman informed the Council that the Shade Tree Chapter is inconsistent with State Statutes. Council President Goldman stated that with the current wording, enforcement becomes an issue. Council President Goldman suggested that the Shade Tree Commission be repealed entirely and a Shade Tree Committee be formed. Council President Goldman stated that the current budget remains in tact for the new Committee. Mayor Zimmerman inquired if this change would impact the power to secure grants.

Motion was made by Goldman to Introduce Ordinance No. 5-2010 – Ordinance to Repeal Chapter 36, "Shade Tree Commission and Amend Chapter 181, "Trees of the code of the Borough of Rocky Hill", with a public hearing date of September 20, 2010. Motion was seconded by Banks. Motion carried on roll call vote.

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For: Banks, Donahue, Goldman, Hasser, Pausch, Steen

Against: None

Abstain: None

Council President Goldman opened a discussion about the possible repeal of Chapter 46-1, Permission to post advertisements required. Mayor Zimmerman opined that he saw no issues with Chapter 46-1. Council Member Donahue also felt the Chapter was acceptable, however was unsure of how the Borough would enforce it. Council President Goldman stated that she will confer with Borough Attorney Cruz to draft a simple amendment. Borough Attorney Cruz stated the Borough should adopt an Ordinance once the Borough is prepared to enforce it.

Council President Goldman stated that Chapter 133, Peace and Good Order, as well as Chapter 135 Peddling and Soliciting should be repealed upon advice of General Code. Council President Goldman stated the language is very dated.

Council Member Hasser reviewed and suggested changes to Chapter 167 Street and Sidewalks. Mayor Zimmerman clarified the 24 hour regulation to clear snow covered sidewalks began at the completion of the storm, so 24 hours seemed like an ample amount of time. Members of Council agreed.

ADJOURNMENT:

Motion was made by Goldman with a second by Steen to adjourn the meeting at 10:41 PM. All voted in favor of adjournment.

Respectfully submitted:

Rebecca P. Newman
Acting Borough Clerk

RESOLUTION 2010-59
BOROUGH OF ROCKY HILL
SOMERSET COUNTY

Resolution: Approval to Submit a grant application and execute a grant contract with the New Jersey Department of Transportation for Reeve Road Reconstitution.

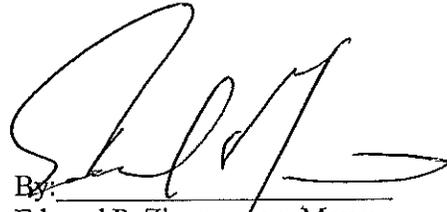
NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Rocky Hill formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Rocky Hill Borough-0458 to the New Jersey Department of Transportation on behalf of the Borough of Rocky Hill.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Rocky Hill and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

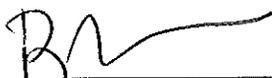
ATTEST:

By: 
Rebecca P. Newman
Acting Borough Clerk

By: 
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on August 16, 2010.


Rebecca P. Newman, Acting Borough Clerk

RESOLUTION 2010-60
BOROUGH OF ROCKY HILL
SOMERSET COUNTY

Resolution: Approval to Submit a grant application and execute a grant contract with the New Jersey Department of Transportation for Pedestrian Crossing Various.

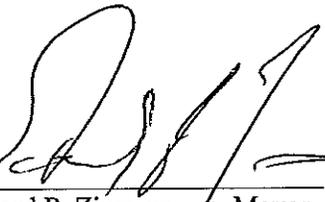
NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Rocky Hill formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Rocky Hill Borough-00286 to the New Jersey Department of Transportation on behalf of the Borough of Rocky Hill.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Rocky Hill and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ATTEST:

By: 
Rebecca P. Newman
Acting Borough Clerk

By: 
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on August 16, 2010.


Rebecca P. Newman, Acting Borough Clerk

Bill List 8.16.2010

List of Bills - (0110101001) CASH Current Fund

Table with columns: Check#, Vendor, Description, Payment, Check Total. Lists various bills from vendors like BOLLINGER INC, COURIER NEWS, etc.

TOTAL

410,225.66

Total to be paid from Fund 01 Current Fund

395,065.90

Total to be paid from Fund 02 State & Federal Grant Fund

15,159.76

410,225.66

List of Bills - (1926005) INTERFUND - DUE CURRENT TRUST OTHER

Table with columns: Check#, Vendor, Description, Payment, Check Total. Lists bills from DIFRANCESCO BATEMAN PC.

TOTAL

120.00

Total to be paid from Fund 19 TRUST OTHER

120.00

120.00

**List of Bills - (0810101001) CASH
UTILITY OPERATING**

Check#	Vendor	Description	Payment	Check Total
5880	415 - AQUA PRO TECH LABS	PO 2851 water tests july 6, 2010	528.00	528.00
5881	415 - AQUA PRO TECH LABS	PO 2860 water tests june 2, 2010	123.00	123.00
5882	71 - DIFRANCESCO BATEMAN PC	PO 2855 sewer agreement work mont twp	15.00	15.00
5883	123 - JOHN KESSLER	PO 2852 lawn care water dept april to augus	300.00	300.00
5884	155 - MGL FORMS-SYSTEMS	PO 2856 water & sewer bills	390.25	390.25
5885	321 - MIRACLE CHEMICAL CO	PO 2857 clorine for water dept	100.45	100.45
5886	428 - Marcum Rosenfarb LLC	PO 2311 Sewer Study	12,981.74	12,981.74
5887	204 - PITNEY BOWES	PO 2862 postage mach rental	124.74	124.74
5888	210 - PS&G	PO 2853 water dept electric	200.00	200.00
5889	259 - NEW JERSEY STATE TREASURER	PO 2861 an nual operation invoice	120.00	120.00
5890	311 - TIM LESKO	PO 2858 water dept maint	130.00	130.00
5891	286 - VAN CLEEF ENGINEERING	PO 2854 water dept eng work	52.25	52.25
5892	289 - VERIZON	PO 2859 water dept phone	27.13	27.13
5893	P&E	2863		
	TOTAL			15,092.56

Total to be paid from Fund 08 UTILITY OPERATING

15,092.56

=====

15,092.56

15,092.56
\$ 2000.00

Dog Trust Fund

1064	state Treas	Dog License Fees	6.60
1065	Jodi Zimmerman	Dog Census 2010	250.00
1066	Michelle Zimmerman	Dog Census 2010	250.00

(Revised)

RESOLUTION 2010-61

BOROUGH OF ROCKY HILL
SOMERSET COUNTY

WHEREAS, the Appellate Division recently ruled that the fees collected under the Open Public Records Act must reflect actual photocopying costs for government records; and

WHEREAS, the State Legislature recently amended OPRA, revising the permissible fees for copying charges for government records; and

WHEREAS, the Governor has not signed that legislation into law; and

WHEREAS, the actual copying costs for the Borough of Rocky Hill are \$0.01 per page for letter sized paper and smaller, and \$0.01 per page for legal sized paper and larger.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

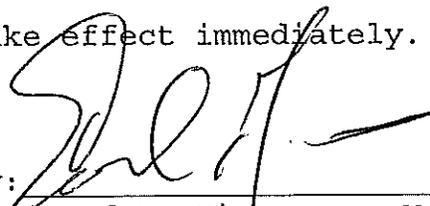
1. That the fees for duplication of government records will be \$0.01 per page for letter sized paper and smaller, and \$0.01 per page for legal sized paper and larger.

2. This Resolution shall remain in effect until the Governor signs the amendment to the Open Public Records Act or the actual Borough of Rocky Hill costs charged.

3. This Resolution shall take effect immediately.

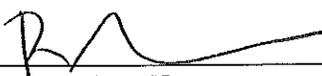
ATTEST:

By: 
Rebecca P. Newman
Acting Borough Clerk

By: 
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on August 16, 2010.


Rebecca P. Newman
Acting Borough Clerk

Explanation: This Resolution authorizes the Mayor and Clerk to sign a First Amendment to Developer's Agreement with Pulte Homes of NJ, Limited Partnership, as a condition of Preliminary and Final Major Subdivision approval granted by the Borough of Rocky Hill Planning Board.

**BOROUGH OF ROCKY HILL
RESOLUTION NO.2010-62**

WHEREAS, Pulte Homes of NJ, Limited Partnership, entered into a Developer's Agreement with the Borough of Rocky Hill, dated February 20, 2007, and recorded in the Somerset County Clerk's office in Book 6022, Pages 1-52, on May 4, 2007; and

WHEREAS, since then the Contract for the Purchase and Sale of Real Estate between David K. Schafer and Pulte Homes of NJ, Limited Partnership, was terminated and Mr. Schafer is now the Developer of the property known as Block 10, Lot 19, also now known as Rocky Hill Estates (hereinafter "Property"); and

WHEREAS, the Developer requested that the Borough endorse the Treatment Works Approval ("TWA") permit application for the Property; and

WHEREAS, on May 3, 2010, the Borough authorized the Mayor and Clerk of the Borough of Rocky Hill to endorse the TWA permit application on certain conditions; and

WHEREAS, a true copy of the Borough of Rocky Hill Resolution 2010-46 is attached as Exhibit A; and

WHEREAS, that Resolution recited that while it is the responsibility of the Borough to maintain all of the sewer connection lines within the Borough of Rocky Hill, including any

connection lines installed by the Developer at the Property, the Developer agreed that the homeowners association for the Property or the Developer in the event that a homeowners association is not formed will indemnify/reimburse the Borough for any future maintenance costs associated with the sewer connection lines installed by the Developer; and

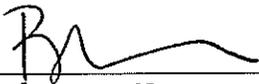
WHEREAS, that Resolution also recited that the Developer will install a flow meter at the flow meter location identified in the Resolution at the Developer's sole cost and expense.

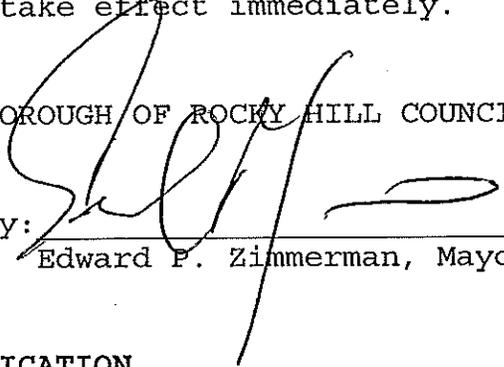
NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, in the County of Somerset and State of New Jersey, as follows:

1. That the Mayor and Clerk are authorized to sign the First Amendment to Developer's Agreement between the Borough of Rocky Hill and David K. Schafer in the form attached to this Resolution.
2. This Resolution shall take effect immediately.

ATTEST:

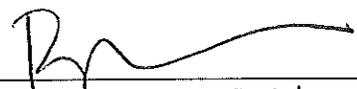
BOROUGH OF ROCKY HILL COUNCIL

By: 
Rebecca Newman, Acting Clerk

By: 
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca Newman, Acting Clerk of the Borough of Rocky Hill, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council at a Regular Meeting of said Council held on August 16, 2010.


Rebecca Newman, Acting Clerk

RESOLUTION 2010-63
BOROUGH OF ROCKY HILL
SOMERSET COUNTY

**RESOLUTION AUTHORIZING THE INCREASE IN THE CURRENT BID
THRESHOLD FROM \$29,000.00 TO \$36,000.00, AND THE CURRENT QUOTATION
THRESHOLD FROM \$3,900.00 TO \$5,400.00, PURSUANT TO N.J.S.A. 40A:11-3A
AND N.J.A.C. 5:34-5 ET SEQ.**

WHEREAS, recent changes to the Local Public Contracts Law gave local contracting units, that have an appointed Qualified Purchasing Agent, the ability to increase their bid threshold from \$29,000.00 to \$36,000.00, and the current quotation threshold from \$3,900.00 to \$5,400.00; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Joseph P. Monzo possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq; and

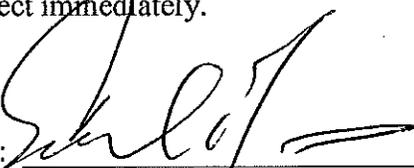
WHEREAS, the Borough of Rocky Hill desires to take advantage of the increased bid threshold and quotation threshold as allowed by law and to achieve greater efficiency in the administration of public purchases.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of The Borough of Rocky Hill, County of Somerset, State of New Jersey that the Borough Council is hereby authorized to increase its bid threshold to \$36,000.00 and the quotation threshold to \$5,400.00. This Resolution shall take effect immediately.

ATTEST:

By: 

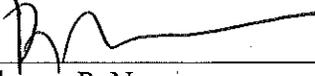
Rebecca P. Newman
Acting Borough Clerk

By: 

Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on August 16, 2010.



Rebecca P. Newman
Acting Borough Clerk