

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
October 17, 2011**

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.

Toby Whitlock asked the Mayor and Council to recognize Montgomery resident Thomas Skillman, who will turn 100 years old on Thursday, October 20, 2011.

**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 5, 2011. 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. Tom Bremner-present, Mr. Jeff Donahue-present, Ms. Julia Hasser-present, Mr. Mark Pausch-present, Mr. Josh Hochberg-present, Mr. Robert Steen-present.

Also present: Borough Attorney Albert Cruz, Mayor Ed Zimmerman, Borough Clerk Rebecca Newman, Deputy Clerk Christine Witt.

**MAYOR'S COMMENTS**

The Rocky Hill First Aid Squad's agreement with the Montgomery First Aid Squad ended on October 14 and its agreement with the Princeton First Aid Squad began at that time.

The debate among the candidates for Freeholder sponsored by the Somerset County Governing Officials and moderated by Mayor Zimmerman went well. Mayor Zimmerman will be the next president of the Somerset County Governing Officials. The annual holiday party will be the second Wednesday in December at the Royce Brook Golf Club, and spouses are invited to attend.

A memorial service for former Rocky Hill mayor George Morren will take place on Tuesday, October 18, 2011 at Rutgers University Cook Campus.

Council Member Bremner added to the Mayor's Comments that the DEA will hold a "National Prescription Drug Take Back Day" on Saturday, Oct. 29, 2011.

**APPROVAL OF MINUTES**

Regular Meeting Minutes – October 3, 2011—Motion was made by Hochberg to approve the minutes. Hasser seconded motion. Motion carried on roll call vote- all ayes.  
For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

Executive Session Minutes—October 3, 2011—Motion was made by Bremner to approve the minutes. Hasser seconded the motion. Motion carried on roll call vote-all ayes.  
For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

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

Nothing was added.

## **PUBLIC COMMENT**

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

Hearing no comments/questions the floor was immediately closed.

## **APPROVAL OF VOUCHERS**

Bill list dated October 17, 2011 was presented for approval. Steen made a motion to approve all vouchers except numbers 6961, 6964 and 6971. Motion seconded by Bremner. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

Steen made a motion to approve voucher 6964. Motion seconded by Bremner. Motion carried on roll call vote – all ayes.

For: Bremner, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: Donahue

Bremner made a motion to approve voucher 6971. Motion seconded by Hasser. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch

Against: None

Abstain: Steen

## **DEPARTMENTAL REPORTS**

Tax Collector—September 2011

Court Administrator—September 2011

Mayor Zimmerman summarized the Court Administrator's report. Motion was made by Pausch to accept the reports as presented. Motion seconded by Hasser. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

## **COMMITTEE REPORTS**

**Administration & Records** – Council Member Hochberg stated that the contract for a historic district website has been signed. The Mayor requested assistance in updating the Borough webmail.

**Buildings & Grounds** – Council Member Donahue reported that trees slated to be removed from Borough Hall Park and Panicaro Park will be taken down soon. The mulching of Panicaro Park has been delayed. The damaged swing set at Borough Hall Park will be reviewed for repairs. Council Member Donahue is looking into new doors and locks for Borough Hall, as well as a new phone system.

**Finance & Insurance** – Nothing to report at this time.

**Public Safety & Emergency Services** – Council Member Pausch responded to an inquiry from Council Member Donahue that the Borough is back to two full-time constables now that summer is over, and that the tennis courts are being monitored on a reduced basis.

Mayor Zimmerman stated he received a letter indicating that the Governor's office will recognize three officials from each town for their service during Hurricane Irene. The Mayor will nominate Todd Harris as well as the two members of the Rocky Hill Fire Department who were the first to respond to the swift water rescue in Princeton. Council Member Bremner stated that he would show Council Member Pausch options for snow poles to put on fire hydrants for further discussion of this issue.

**Streets & Roads** – Council Member Bremner reported he has created an inventory of all street signs and their locations in the Borough.

**Water, Sewer & Environmental Protection** – Council Member Steen reported that the installation of the new roof on the well house was completed in July. Council Member Steen summarized the September water report and stated that all bacterial tests were favorable. Mayor Zimmerman noted that South Brunswick needs to vote on the inter-local agreement to make Nancy Paquette the new Recycling Coordinator in Rocky Hill.

**Council Representative to Planning Board** – Mayor Zimmerman reported that three new applications were heard. The repair of out buildings at 98 Princeton Ave., the placement of a shed at 69 Washington St., and an addition to 10 Grove St.

**Council Liason to Recreation Committee** – Council Member Hasser reported that she is waiting for bills from the Historic Celebration.

**Council Representative to Board of Health** – Council Member Pausch reported that the date for the Flu Clinic has not been set yet.

**Zoning Official's Report** – Mayor Zimmerman reported that there are no issues with zoning at this time.

**Grants Committee** – Council Member Bremner reported that there will be a Green Community grant, and he will discuss this with the Shade Tree Committee. The Borough Hall grant has not yet appeared on the Freeholders' agenda. In response to a question from Council Member Donahue, Council Member Bremner responded that the grant for the beautification of Washington Street and repair of sidewalks is being handled by Engineer Tanner.

## **SPECIAL BUSINESS**

### **Resolution 2011-71 Emergency Appropriation for Damages Sustained During Hurricane Irene.**

Motion was made by Bremner to approve the resolution as presented. Motion was seconded by Hasser. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

### **Resolution 2011- 72 Contract for Snow Removal**

Motion was made by Bremner to approve the resolution as presented. Motion was seconded by Steen. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

## **UNFINISHED BUSINESS**

### **Rocky Hill First Aid Squad Update**

Mayor Zimmerman reported that things are moving in the right direction. Princeton is now the primary responder for all but two weekend shifts when the RHFAS is primary. The RHFAS is now on a "24/7 scramble" and co-toned with Princeton. If the RHFAS can get a full crew on site, they will either handle the call or ride with Princeton. If Rocky Hill gets there at the same time as Princeton, Rocky Hill will do the transport to avoid billing.

## **NEW BUSINESS**

No new business at this time.

## **COMMUNICATIONS:**

Communications as listed, were distributed, disseminated and filed accordingly.

## **FINAL PUBLIC COMMENT**

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

Toby Whitlock, 94 Crescent Avenue—Mr. Whitlock announced that Historic Preservation Committee did a superb job planning the historic celebration picnic on October 9, 2011.

Peggy Harris, 66 Crescent Avenue—Ms. Harris asked the Council to consider putting in the budget for next year the re-painting of the zebra stripes on the roads for pedestrian crossings.

**Executive Session-Resolution 2011-73 to Retire into Executive Session (8:06 PM)**

Motion was made by Hasser to approve the resolution and retire to into executive session. Motion seconded by Pausch. Motion carried on voice vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

Against: None

Abstain: None

**Results of Executive Session (8:14 PM)**

Motion was made by Hasser to place on the next bill list a check for \$85,000 to the Township of Montgomery towards the sewer bill. The motion was seconded by Steen. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen

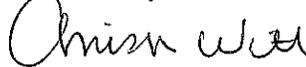
Against: None

Abstain: None

**ADJOURNMENT:**

Motion was made by Bremner with a second by Hasser to adjourn the meeting at 8:15 PM. All voted in favor of adjournment.

Respectfully submitted:



Christine Witt

Deputy Borough Clerk

*Bill List 10-17-11*  
**List of Bills - (0110101001) CASH**  
**CURRENT FUND**

Check#	Vendor	Description	Payment	Check Total
5956	29 - BOLLINGER INC	PO 3502 Surety bonds CFO and judge	225.00	225.00
6957	485 - CONNIE HALLMAN	PO 3519 NJ Planning Officials 2011 Fall Tra	180.00	180.00
6958	71 - DIFRANCESCO BATEMAN PC	PO 3521 Legal services August 2011	780.00	780.00
6959	72 - DUO BLDG MAINTENANCE	PO 3506 Cleaning service October 2011	185.00	185.00
<del>6960</del>	<del>380 - DeSantis Construction Inc</del>	<del>PO 3505</del>	<del>17,018.16</del>	<del>17,018.16</del>
6961	478 - Donnelly Energy Solutions	PO 3431 Direct Install- Heating System Upgr	4,300.00	4,300.00
6962	86 - GENERAL CODE PUBLISHERS	PO 3504 eCode360 Annual Maintenance Fee	1,195.00	1,195.00
6963	115 - JML LANDSCAPING INC.	PO 3513 Cleanup and Re-seed monument area a	500.00	500.00
6964	441 - Jeff Donahue	PO 3508 9/11 Memorial Supplies	72.55	72.55
6965	122 - KENCOR INC	PO 3511 Annual pressure relief test 2011	475.00	475.00
6966	181 - NEW JERSEY PLANNING OFFICIALS	PO 3518 Planning Board dues January 1, 2012	315.00	315.00
6967	210 - PSE&G	PO 3510 Street lights October 2011	686.37	686.37
6968	210 - PSE&G	PO 3524 Crescent Point Park electric Sept.	7.30	7.30
6969	210 - PSE&G	PO 3525 Panicaro Park electric Sept. 2011	14.94	14.94
6970	319 - RARITAN VALLEY DISPOSAL INC	PO 3520 September 2011 garbage collection	3,808.49	3,808.49
6971	484 - ROBERT STEEN	PO 3505 Website Domain Renewal	125.00	125.00
6972	247 - SOMERSET COUNTY TREASURER	PO 3503 Recycling 3rd quarter 2011	1,741.05	1,741.05
6973	248 - SOMERSET CTY COV. OFFS. ASSOC.	PO 3507 Ed Zimmerman Sep. dinner	35.00	35.00
6974	452 - SPRINT-NEXTEL CORP	PO 3509 Mayor and Clerk's cell phones Sept.	165.68	165.68
6975	291 - VITAL SERVICES GROUP	PO 3528 Tax collector's office supplies	112.70	112.70
6976	293 - ROCKY HILL WATER & SEWER DEPARTMENT	PO 3514 fire hydrants and Boro Hall water b	754.00	754.00

TOTAL

58,018.72

15,678.08

1 to be paid from Fund 01 CURRENT FUND

1 to be paid from Fund 02 STATE AND FEDERAL GRANT FUND

~~93,006.18~~

~~2,728.54~~

~~58,018.72~~ 15,678.08

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

Check#	Vendor	Description	Payment	Check Total
6977	455 - TAMARA LEE PP	PO 3512 Martin Variance, 10 Princeton Ave.	498.75	498.75
TOTAL				498.75

Total to be paid from Fund 19 TRUST OTHER

498.75

498.75

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

Check#	Vendor	Description	Payment	Check Total
6575	415 - AQUA PRO TECH LABS	PO 3517 Water tests Sept. 2011	18.36	18.36
6576	71 - DIFRANCESCO BATEMAN PC	PO 3522 legal fees: sewer Aug. 2011	225.00	225.00
6577	380 - HANS OLSEN	PO 3516 Water Dept. maintenance 9/24/11	43.09	43.09
6578	450 - ONE CALL CONCEPTS INC	PO 3526 Sept. 2011 One Call	2.24	2.24
6579	210 - PSE&G	PO 3523 Water Dept. electric Sept. 2011 plu	2,781.88	2,781.88
6580	316 - STATE OF NEW JERSEY PWT	PO 3527 3rd quarter water tax	58.47	58.47
6581	311 - TIM LESKO	PO 3515 Water Dept. maintenance 9/24/11-10/	183.09	183.09
TOTAL				3,312.13

Total to be paid from Fund 08 UTILITY OPERATING

3,312.13

**RESOLUTION - 2011-71**

**BOROUGH OF ROCKY HILL  
SOMERSET COUNTY**

**WHEREAS**, an emergency has arisen with respect to *Hurricane Irene* which occurred on August 26<sup>th</sup> & 27<sup>th</sup>, 2011 and, no adequate provision was made in the 2011 budget for the aforesaid purpose, and NJSA 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

**WHEREAS**, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$ 20,000 and three (3) percent of the total operating appropriations in the budget for 2011 is \$ 30,623.89; and

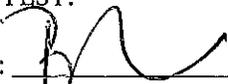
**WHEREAS**, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2011,

**NOW, THEREFORE, BE IT RESOLVED**, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJSA 40A:4-48:

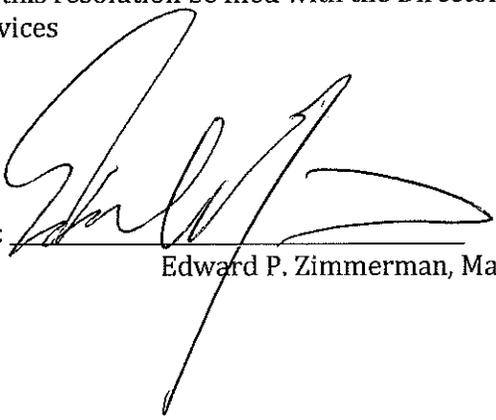
1. An emergency appropriation is hereby made for *Hurricane Irene* which occurred on August 26<sup>th</sup> & 27<sup>th</sup>, 2011 in the amount of \$ 20,000. That said emergency appropriation shall be provided for in full in the 2012 budget,

2. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

ATTEST:

By: 

Rebecca P. Newman  
Borough Clerk

By: 

Edward P. Zimmerman, Mayor

**CERTIFICATION**

I, Rebecca P. Newman, 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 October 17, 2011.

\_\_\_\_\_  
Rebecca P. Newman, Borough Clerk

**RESOLUTION 2011-72**

**BOROUGH OF ROCKY HILL  
SOMERSET COUNTY**

**WHEREAS**, the Borough of Rocky Hill desires to enter into a contract for snow removal for the period January 1, 2012 through December 31, 2012; and

**WHEREAS**, the Borough had solicited quotes in 2011 for this work because the work is below the bid threshold; and

**WHEREAS**, three quotes were received as follows:

- Severiano Berrios, Princeton NJ - \$49.50 per hour;
- Robert Wells Tree and Landscaping, Inc. - \$75.00 per man hour;
- Mastroianni Landscaping Inc., Hopewell NJ - \$44.00 per hour; and

**WHEREAS**, the quote that is most advantageous to the Borough is that of Mastroianni Landscaping Inc. of Hopewell, NJ, at a price of \$44.00 per hour; and

**WHEREAS**, there are sufficient funds in the Borough's budget to pay for these services.

**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 Borough of Rocky Hill awards a contract to Mastroianni Landscaping of Hopewell, NJ, to perform the following services: snow removal. The term of the contract shall be one (1) year from January 1, 2012 through December 31, 2012, at the rate of \$44.00 per hour.

2. That there are sufficient funds in the Borough of Rocky Hill budget for this purchase as certified by the Chief Financial Officer.

3. This Resolution shall take effect immediately.

ATTEST:

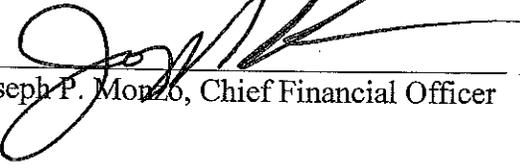
By: \_\_\_\_\_

Rebecca P. Newman  
Borough Clerk

By: \_\_\_\_\_

Edward P. Zimmerman, Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby certify that funds for this contract are available from:01-201-26-290-161.

  
\_\_\_\_\_  
Joseph P. Monzo, Chief Financial Officer

**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 October 17, 2011.

\_\_\_\_\_  
Rebecca P. Newman  
Borough Clerk

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EXPLANATION: THIS RESOLUTION ALLOWS THE BOROUGH COUNCIL TO RETIRE INTO EXECUTIVE SESSION.

BOROUGH OF ROCKY HILL

RESOLUTION 2011- 73

WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12(b) (1-9) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

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. The public shall be excluded from discussion of and action on the executive Session of October 17, 2011
2. The general nature of the subject matter to be discussed is as follows: -  
**Contract Negotiations: Township of Montgomery: Sewer Agreement**
3. Minutes of said discussion will be made available as soon as it is deemed in the public interest to do so.
4. The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.

This Resolution takes effect immediately.



Rebecca P. Newman

Borough Clerk

**CERTIFICATION**

I, Rebecca P. Newman, Borough 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 October 17, 2011.

\_\_\_\_\_  
Rebecca P. Newman  
Borough Clerk