

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
January 2, 2012**

Mayor Edward Zimmerman called the reorganization/regular meeting of the Borough Council of the Borough of Rocky Hill to order at 7:30 PM followed by the salute to the Flag.

**NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT**

Mayor Zimmerman read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Law. Notice of this meeting of January 2, 2012 was transmitted to the Courier News and Somerset Spectator on January 5, 2011 and remains continuously posted as to required notices under the Statute. A copy of this notice is and has been available to the public and is on file in the Office of the Borough Clerk.

**OATH OF OFFICE TO ELECTED OFFICIALS**

The Honorable Judge Perkins administered the oath of office to the following elected officials:

**Mark Pausch**, Council Member—three year term to expire 12/31/14

**Julia Hasser**, Council Member—three year term to expire 12/31/14

**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: Mayor Edward Zimmerman, Borough Clerk Rebecca Newman, Deputy Clerk Christine Witt, and Borough Attorney Albert Cruz.

**NOMINATION OF COUNCIL PRESIDENT**

Donahue nominated Mark Pausch as Council President for a one-year term to expire 12/31/12 and Hochberg seconded the motion. Motion carried on roll call—all ayes.

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

Against: None

Abstain: None

**MAYOR'S COMMENTS**

The Mayor gave his annual State of the Borough address. The Mayor introduced the guests in the audience, including Senator Kip Bateman and Assemblyman Jack Citarelli. The Mayor remembered the three former mayors that passed in 2011—Mayor Pettibone, Mayor Morren, and Mayor Bianculli. The Mayor noted that Larry Merk and Toby Whitlock retired in 2011, and Rebecca Newman was promoted from Acting Borough Clerk to Borough Clerk. The Borough experienced an earthquake, a hurricane, and a snowstorm and was twice named a federal disaster area. Highlights of 2011 included not raising the tax rate and ending the year with a surplus, re-surfacing Montgomery Avenue, passing an ordinance to join the Raritan-Millstone Flood Control Commission, completing energy efficiency upgrades, obtaining a historic preservation grant for Borough Hall, and building and dedicating the 9/11 memorial. Issues to work on in 2012 include resolving email issues, fixing the Toth Lane storm drain, the continuing viability of the First Aid Squad, and making accommodations for the moving of Princeton Hospital, which will be unreachable in a flood.

A full copy of the Mayor's address is available in the Borough Clerk's office.

**CONFIRMATION OF MAYORAL APPOINTMENTS**

The Borough Appointments as set forth by Mayor Zimmerman were read into the record (as appended hereto). Advice and consent by Council of the appointments was requested.

Borough Appointments  
Council Committees  
Council Representatives  
Boards and Committees

Bremner made a motion with a second by Steen confirming all Mayoral Appointments.  
Motion carried on roll call—all ayes.  
For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

**APPROVAL OF RESOLUTIONS (2012-01 – 2012-13)**

Mayor Zimmerman explained a consent agenda allows the Council to approve resolutions of similar nature in bulk.

Bremner moved to adopt resolutions 2012-01 through 2012-13 with a second by Steen. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

**PROFESSIONAL SERVICE APPOINTMENTS/EXECUTION OF AGREEMENT**

**2012-14 BOROUGH ATTORNEY**

Steen moved to appoint Albert E. Cruz as Borough Attorney and Bremner seconded the motion. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

**2012 -15 BOROUGH AUDITOR**

Hasser moved to appoint Robert S. Morrison (Houdlik & Morrison, PA) as Borough Auditor and Donahue seconded the motion. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

**2012 -16 BOROUGH ENGINEER**

Pausch moved to appoint William Tanner of Van Cleef Engineering as Borough Engineer and Bremner seconded the motion. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

**2012 -17 RISK MANAGEMENT CONSULTANT**

Steen moved to appoint Kevin McCall of Bollinger Insurance as Risk Management Consultant and Pausch seconded the motion. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

**2012 -18 BOROUGH PROSECUTOR**

Hasser moved to appoint Raymond J. Stine as Municipal Prosecutor and Hochberg seconded the motion. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

**2012 -19 PUBLIC DEFENDER**

Hasser moved to appoint Jared Witt as Public Defender and Hochberg seconded the motion. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

**2012- 20 BOROUGH PLANNER**

Steen moved to appoint Tamara Lee as Borough Planner and Bremner seconded the motion. Motion carried on roll call vote—all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

**REGULAR MEETING**

**APPROVAL OF MINUTES**

Regular Meeting Minutes – December 19, 2011 –Motion was made by Hochberg to approve the minutes. Steen seconded 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 UNFINISHED BUSINESS (NOT ON AGENDA)**

None

**PUBLIC COMMENT**

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

**CHIEF FINANCIAL OFFICER'S REPORT**

Donahue moved to accept the CFO report and Steen seconded the motion. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch, Steen  
Against: None  
Abstain: None

**SPECIAL BUSINESS**

None

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

None

**COMMUNICATIONS**

None

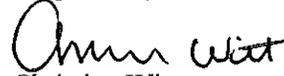
**FINAL PUBLIC COMMENT**

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

**ADJOURNMENT:**

Motion was made by Hochberg with a second by Steen to adjourn the meeting at 7:54 PM. All voted in favor of adjournment.

Respectfully submitted:



Christine Witt  
Deputy Borough Clerk

RESOLUTION 2012-01

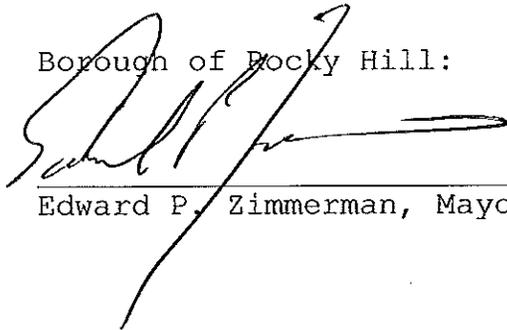
CONSENT AGENDA

**BE IT RESOLVED** by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, that approval is given for the use of a "Consent Agenda" which may also be noted as "Resolutions" on the Agenda where matters of a routine nature be placed.

Attest:

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

Borough of Rocky Hill:

  
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

## RESOLUTION 2012-02

### RULES OF ORDER:

**BE IT RESOLVED** that the Rules of Order as hereinafter set forth be adopted by the Mayor and Council of the Borough of Rocky Hill to govern proceedings of the Mayor and Council for the year 2012.

**FIRST:** The regular meetings of the Mayor and Council of the Borough of Rocky Hill shall be at 7:30 P.M. on the first and third Monday of each and every month, excluding the months of July, August and September during which there will only be one meeting on the third Monday of the month, at Borough Hall, 15 Montgomery Avenue, Rocky Hill, New Jersey 08553, except otherwise specified. Special meetings may be called at any time by the Mayor, or by three (3) Council members, on due and timely notice.

**SECOND:** The Order of Business shall be:

1. Call to Order - Salute to the Flag - Announcement of Notice of Meeting - Roll Call.
2. Approval of Minutes.
3. Request of Council for New or Unfinished Business (Not on Agenda).
4. Public Comment - (Members of the Public Wishing to Address the Mayor and Council are Requested to Stand And State Their Name and Address for the Record).
5. New Jersey State Police Reports (First Meeting of month).
6. Engineer's Report (First meeting of month).
7. Chief Financial Officer's Report (First Meeting of month).
8. Resolutions for Transfers of Funds (\*If necessary)
9. Approval of Vouchers to be paid.
10. Departmental Reports (Second meeting of month).
11. Committee Liaison Reports (Second meeting of month).
12. Special business such as public hearings on all matters scheduled pursuant to public notice such as Ordinances, Introduction of Ordinances, and Resolutions.
13. Unfinished Business.
14. New Business.
15. Communications.
16. Final Public Comment (Members of the Public Wishing to Address the Mayor and Council are Requested to Stand

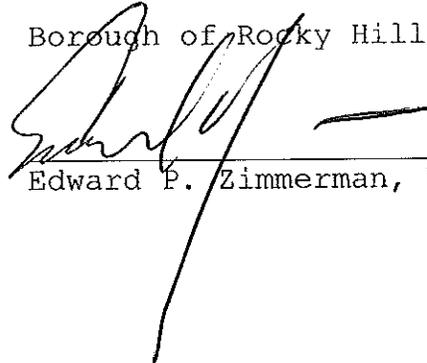
And State Their Name and Address for the Record).

17. Adjournment.

Attest:

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

Borough of Rocky Hill:

  
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

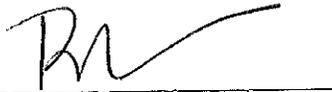
\_\_\_\_\_  
Rebecca P. Newman  
Borough Clerk

RESOLUTION 2012-03

REORGANIZATION MEETING 2013:

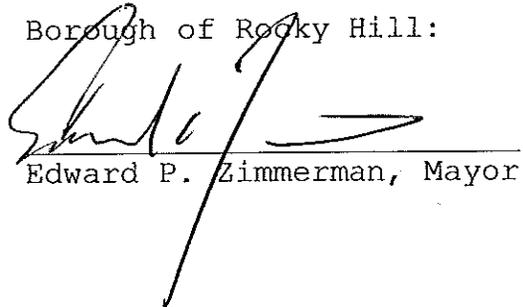
**BE IT RESOLVED** that the Reorganization Meeting of the Borough of Rocky Hill for the year 2013 shall be held at Borough Hall, 15 Montgomery Avenue, Rocky Hill, New Jersey 08553, on Monday, January 7, 2013 at 7:30 PM, or on another date to be scheduled by the Mayor and Council.

Attest:



Rebecca P. Newman  
Borough Clerk

Borough of Rocky Hill:



Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

RESOLUTION 2012-04

MEETINGS:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Rocky Hill that the following is established as a schedule of meetings of the Mayor and Council to be held during 2012.

**BE IT FURTHER RESOLVED** that meetings shall commence at 7:30 P.M. and the location shall be Borough Hall, 15 Montgomery Avenue, Rocky Hill, New Jersey 08553, except as otherwise noted.

In accordance with the Open Public Meetings Act, a copy of this Resolution shall immediately:

Be posted on the Post Office and the Public Library located in the Borough of Rocky Hill and shall remain posted for the year 2012.

Be posted on the Borough of Rocky Hill web site:  
[www.rockyhill-nj.gov](http://www.rockyhill-nj.gov).

Be transmitted to the following newspapers: The Courier-News and the Somerset Spectator.

Filed with the Borough Clerk.

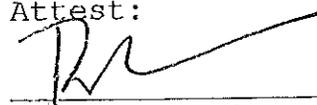
Mailed to those persons who have requested and paid the charges for copies of the schedule and revisions thereto and shall be promptly mailed to those persons who hereinafter make such request and prepay such charge in accordance with applicable law.

**2012 SCHEDULE OF REGULAR MEETINGS**

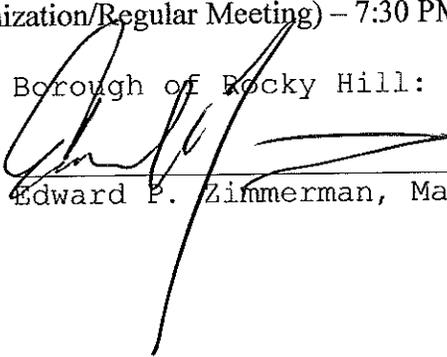
BE IT RESOLVED by the Borough Council of the Borough of Rocky Hill that the following is hereby established as the schedule of the regular meetings of the Borough Council to be held during calendar year 2012 at 7:30 PM prevailing time, the 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month (or as otherwise noted) and with the exception of the months of July, August, and September at Borough Hall, 15 Montgomery Ave., Rocky Hill, NJ, to include the reorganization/regular meeting of 2013:

January 18, 2012	3 <sup>rd</sup> Wednesday
February 6, 2012	1 <sup>st</sup> Monday
February 20, 2012	3 <sup>rd</sup> Monday
March 5, 2012	1 <sup>st</sup> Monday
March 19, 2012	3 <sup>rd</sup> Monday
April 2, 2012	1 <sup>st</sup> Monday
April 16, 2012	3 <sup>rd</sup> Monday
May 7, 2012	1 <sup>st</sup> Monday
May 21, 2012	3 <sup>rd</sup> Monday
June 4, 2012	1 <sup>st</sup> Monday
June 18, 2012	3 <sup>rd</sup> Monday
July 16, 2012	3 <sup>rd</sup> Monday (one meeting per month)
August 20, 2012	3 <sup>rd</sup> Monday (one meeting per month)
September 10, 2012	2 <sup>nd</sup> Monday (one meeting per month)
October 1, 2012	1 <sup>st</sup> Monday
October 15, 2012	3 <sup>rd</sup> Monday
November 5, 2012	1 <sup>st</sup> Monday
November 19, 2012	3 <sup>rd</sup> Monday
December 3, 2012	1 <sup>st</sup> Monday
December 17, 2012	3 <sup>rd</sup> Monday
January 7, 2013	1 <sup>st</sup> Monday (Reorganization/Regular Meeting) – 7:30 PM

Attest:

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

Borough of Rocky Hill:

  
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

Dated: January 2, 2012

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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Rebecca P. Newman  
Borough Clerk

RESOLUTION 2012-05

FEES FOR MEETING NOTICES:

WHEREAS, Section 14 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the public body to fix a reasonable sum to be charged to persons who request that notice of meetings as required under the Act be mailed to them individually; and

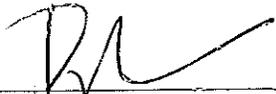
WHEREAS, said sum is to cover the costs of providing such notices; and

WHEREAS, said Section further permits the public body to provide such notices free of charge to news media who so request.

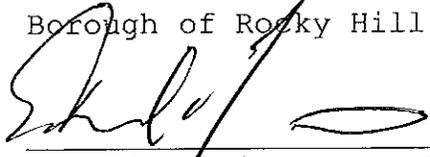
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rocky Hill as follows:

1. Each person requesting an individual notice be mailed to him shall pay annually to the Borough of Rocky Hill the sum of \$10.00 to cover the costs thereof, as required under the Act.
2. Requests for such individual notice made by news media shall be granted without cost.
3. The sum herein designated is subject to change upon the adoption of superseding resolution by this public body.
4. This Resolution shall take effect immediately.
5. That the agenda be posted on the Borough of Rocky Hill web site: [www.rockyhill-nj.gov](http://www.rockyhill-nj.gov).

Attest:

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

Borough of Rocky Hill:

  
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

---

Rebecca P. Newman  
Borough Clerk

RESOLUTION 2012-06

DESIGNATION OF 2012 OFFICIAL NEWSPAPER:

WHEREAS, N.J.S.A. 10:4-8(d) of the Open Public Meetings Act requires that said notice of meetings be submitted to two (2) newspapers, and

WHEREAS, the Mayor and Council of the Borough of Rocky Hill has determined that The Courier-News and the Somerset Spectator have the greatest likelihood of informing the public within the jurisdictional boundaries of the Borough of Rocky Hill of such meetings.

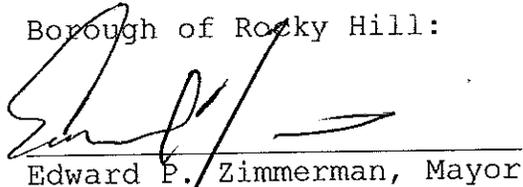
BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Rocky Hill that The Courier-News and Somerset Spectator are hereby designated as official newspapers of this body during 2012 as required by N.J.S.A. 10:4-18 and N.J.S.A. 10:4-8(d)(2) of the Open Public Meetings Act.

Attest:

Borough of Rocky Hill:



Rebecca P. Newman  
Borough Clerk



Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

RESOLUTION 2012-07

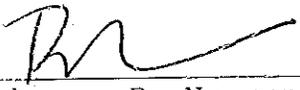
DEPOSITORY:

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body shall, by Resolution passed by a majority vote of the full membership thereof, designate as a depository of its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state.

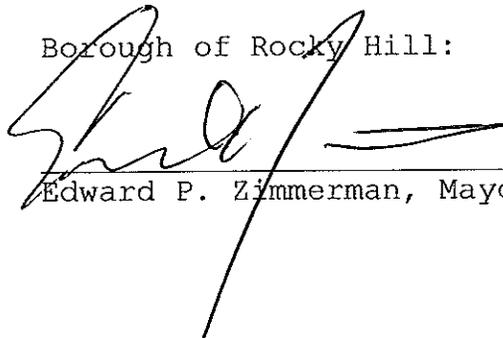
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, that First Constitution Bank be and is hereby designated as depository for the Borough of Rocky Hill for the year 2012.

Prior to the deposit of any municipal funds in the above mentioned depository, said bank shall file with the Chief Financial Officer a statement indicating that First Constitution Bank is covered under the Government Units Deposit Protection Act (N.J.S.A. 17:9-41).

Attest:

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

Borough of Rocky Hill:

  
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

RESOLUTION 2012-08

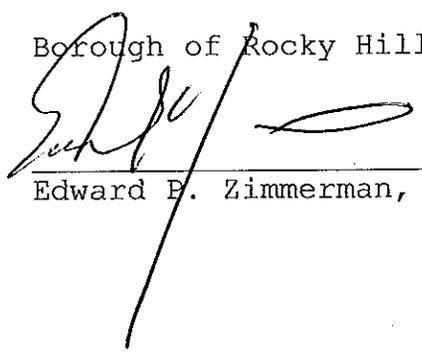
AUTHORIZING CHIEF FINANCIAL OFFICER AND TREASURER TO MAKE INVESTMENTS:

BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill that the Borough Chief Financial Officer and Treasurer is hereby authorized to negotiate the purchase and sale of U.S. Government obligations or to invest in time open accounts, or certificates of deposit, whichever is the most favorable to achieve the best program for the investment of surplus municipal funds.

Attest:

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

Borough of Rocky Hill:

  
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

CERTIFICATION

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

RESOLUTION 2012-09

TAX COLLECTION AND INTEREST ON DELINQUENT TAXES:

WHEREAS, N.J.S.A. 54:4-67 implies that affirmative action is required on the part of the governing body in fixing the rate of interest on delinquent taxes and grace period; and

WHEREAS, taxes are due and payable on the following dates: February 1, May 1, August 1, and November 1;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill that a 10 day grace period be afforded after which date unpaid taxes will be charged interest from the due date;

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Rocky Hill that the interest rate on delinquent taxes shall be eight (8%) percent per annum of the first \$1,500.00 and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 for the year 2012, and no interest shall be charged if payment of any installment is made within the tenth (10<sup>th</sup>) calendar day following the day upon which same became payable; and

BE IT FURTHER RESOLVED in accordance with N.J.S.A. 54:4-67 that the governing body may also fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year and that such penalty shall not exceed six (6%) percent of the amount of the delinquency; and

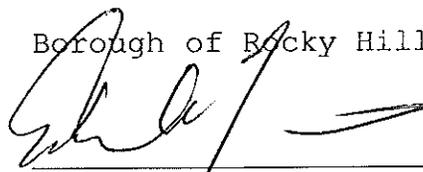
BE IT FURTHER RESOLVED in any case where the taxes are not paid during the respective extended periods, the full interest rate from the due date shall apply.

Attest:



Rebecca P. Newman  
Borough Clerk

Borough of Rocky Hill:



Edward P. Zimmerman, Mayor

CERTIFICATION

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Rebecca P. Newman  
Borough Clerk

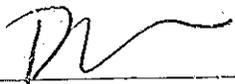
RESOLUTION 2012-10

AUTHORIZING TAX COLLECTOR TO REFUND AND CANCEL TAXES LESS THAN \$10.00:

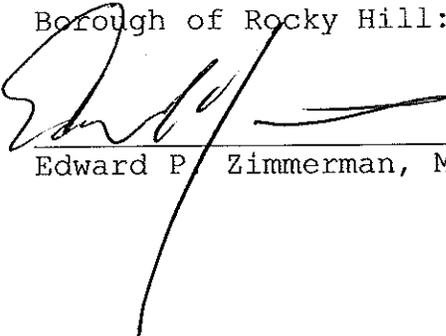
WHEREAS, the governing body of a municipality may authorize a municipal employee to refund and/or cancel property taxes less than \$10.00 without further action of the governing body.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill that the Borough of Rocky Hill Tax Collector is hereby authorized to process refunds and delinquencies as permitted by applicable law.

Attest:

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

Borough of Rocky Hill:

  
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

RESOLUTION 2012-11

TAX APPEALS:

**BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Rocky Hill, Somerset County, New Jersey, that the Borough Attorney is hereby authorized to file corrective appeals for errors in assessments or counterclaims to increase assessments, defend tax appeals filed by taxpayers, and agree to the terms of any stipulation of settlement of tax appeals as he deems necessary and in the best interest of the Borough for the calendar year 2012; and

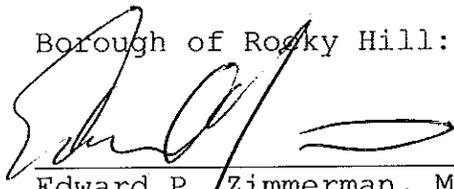
**BE IT FURTHER RESOLVED** that this authority shall expire as of December 31, 2012; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded to the Somerset County Board of Taxation.

Attest:

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

Borough of Rocky Hill:

  
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

RESOLUTION 2012-12

ADOPTING TEMPORARY BUDGET:

ROCKY HILL BOROUGH  
SOMERSET COUNTY  
RESOLUTION OF THE BOROUGH OF ROCKY HILL,  
COUNTY OF SOMERSET, NEW JERSEY, SETTING THE  
2012 TEMPORARY BUDGET

WHEREAS, Section 40A-4-19 provides that temporary appropriations may be made to provide for the period between the beginning of the budget year and the date of adoption of the budget; and,

WHEREAS, the date of this resolution is within the first thirty days of the 2012 budget year; and,

WHEREAS, the total of the following temporary appropriations does not exceed 26.25% of the total amount of the appropriations made for all purposes in the 2011 budget (exclusive of Debt Service, Capital Improvement Fund and Public Assistance)

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, at a meeting held January 2, 2012 that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer after adoption.

CURRENT FUND

GENERAL ADMINISTRATION - OTHER EXPENSE	8,800.00
MAYOR AND COUNCIL - OTHER EXPENSE	1,500.00
MUNICIPAL CLERK - SALARY AND WAGES	6,600.00
MUNICIPAL CLERK - OTHER EXPENSE	1,000.00
FINANCIAL ADMINI- SALARY AND WAGES	4,000.00
TAX COLLECTION - SALARY AND WAGE	3,000.00
TAX COLLECTION - OTHER EXPENSE	275.00
TAX ASSESSMENT - SALARY AND WAGES	2,000.00
TAX ASSESSMENT - OTHER EXPENSE	250.00
LEGAL SERVICES - OTHER EXPENSE	7,000.00

SURETY BONDS- OTHER EXPENSE	300.00
ENGINEERING SERVICES - OTHER EXPENSE	8,000.00
PLANNING BOARD - SALARY AND WAGES	3,000.00
PLANNING BOARD - OTHER EXPENSE	8,875.00
COAH -SALARY AND WAGES	300.00
COAH - OTHER EXPENSE	50.00
POLICE- SALARIES AND WAGES	3,000.00
POLICE- OTHER EXPENSES	1,575.00
LIABILITY INSURANCE - OTHER EXPENSE	17,000.00
WORKER S COMPENSATION INS. - OTHER EXPEN	3,150.00
EMERGENCY MANAGEMENT - OTHER EXPENSE	525.00
AID TO VOLUNTEER FIRE COMPANIES - CONTRI	6,575.00
AID TO VOLUNTEER AMBULANCE COMPANIES - C	6,575.00
FIRE PREVENTION BUREAU - SALARY AND WAGE	1,200.00
FIRE PREVENTION BUREAU - OTHER EXPENSE	150.00
MUNICIPAL PROSECUTOR - SALARY & WAGES	1,700.00
STREETS AND ROAD- OTHER EXPENSES	17,000.00
GARBAGE AND TRASH-OTHER EXPENSE	12,000.00
RECYCLING - OTHER EXPENSE	6,300.00
BUILDINGS AND GROUNDS - OTHER EXPENSE	12,000.00
BOARD OF HEALTH- SALARIES AND WAGES	200.00
Board of Health- OE-Contractual	7,500.00
Board of Health-OE-Miscellaneous	650.00
RECREATION SVS AND PROGRAMS - OTHER EXPE	2,750.00
MAINTENANCE OF PARKS - OTHER EXPENSE	5,500.00
ELECTRICITY - OTHER EXPENSE	1,200.00
STREET LIGHTING - OTHER EXPENSE	3,000

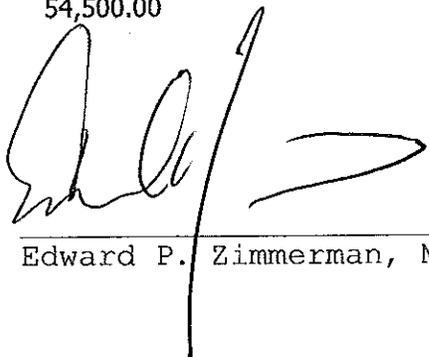
SIDEWALK MAINT-OTHER EXPENSES	10,000.00
FIRE HYDRANT SERVICE-OTHER EXPENSES	1,000.00
TELEPHONE - OTHER EXPENSE	700.00
HEATING OIL - OTHER EXPENSE	1,500.00
WATER & SEWER - OTHER EXPENSE	250.00
SOCIAL SECURITY - OTHER EXPENSE	2,500.00
MUNICIPAL COURT - SALARY AND WAGES	6,200.00
MUNICIPAL COURT - OTHER EXPENSE	1,200.00
FREE COUNTY LIBRARY-OTHER EXPENSES	2,625.00
Shade Tree Committee-Other Expenses	800.00
PUBLIC DEFENDER - OTHER EXPENSE	300.00
SOUTH BD BROOK- OTHER EXPENSES	<u>12,600.00</u>
Total	204,175.00

### UTILITY FUND

Salaries	5,000.00
Other Expenses	26,000.00
FICA	500.00
Sewer Service Charge	<u>23,000.00</u>
Total	54,500.00

Attest:

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

  
 \_\_\_\_\_  
 Edward P. Zimmerman, Mayor

### CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be

a true and correct copy of a Resolution adopted by the governing  
body on January 2, 2012.

---

Rebecca P. Newman  
Borough Clerk

RESOLUTION 2012-13

**AUTHORIZATION TO CHARGE A RETURNED CHECK FEE:**

**WHEREAS**, State statute permits local authorities to set a fee for returned checks; and

**WHEREAS**, the maximum amount to be charged per State statute is \$20.00; and

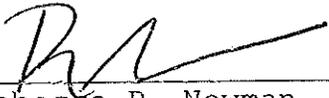
**WHEREAS**, the Borough Council of the Borough of Rocky Hill, hereby desires to set a fee for checks returned by financial institutions for insufficient funds or other reasons by which funds are not able to be collected,

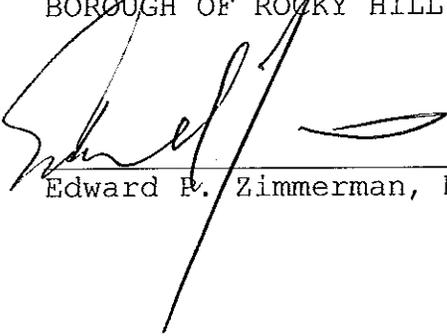
**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Rocky Hill that a returned check of \$20.00 be imposed for each check presented to the Borough of Rocky Hill that is returned for uncollected funds purposes;

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

ATTEST:

BOROUGH OF ROCKY HILL

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

BY:   
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

Dated: January 2, 2012

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

**RESOLUTION 2012-14**

**APPOINTMENT OF BOROUGH ATTORNEY/CORPORATION COUNSEL:**

**WHEREAS**, N.J.S.A. 40A:9-139 requires that every municipality shall have an attorney; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of an attorney is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Rocky Hill has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Rocky Hill has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, Albert E. Cruz, Esq., of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., has submitted a proposal indicating he will provide legal services at the rate of \$150.00 per hour not to exceed \$36,000; and

**WHEREAS**, Albert E. Cruz, Esq., of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Rocky Hill in the previous one (1) year, and that the contract will prohibit Albert E. Cruz, Esq., of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rocky Hill in the County of Somerset, State of

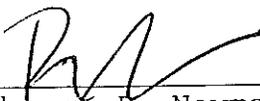
New Jersey, hereby retains Albert E. Cruz, Esq., of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C., as Attorney for the Borough of Rocky Hill for the year 2012, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services; and

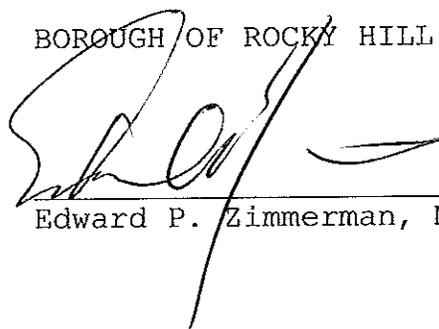
**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Rocky Hill is hereby authorized to enter into said agreement with DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, P.C.; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

ATTEST:

BOROUGH OF ROCKY HILL

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

BY:   
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

Dated: January 2, 2012

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

**RESOLUTION 2011-15**

**BOROUGH AUDITOR:**

**WHEREAS**, N.J.S.A. 40A:5-4 requires that every municipality shall have an annual audit of its books and financial transactions by a Registered Municipal Accountant of New Jersey; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of a Municipal Auditor is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Rocky Hill has a need to acquire auditor services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Rocky Hill has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, Robert S. Morrison of Hodulik & Morrison, P.A., has submitted a proposal indicating he will provide auditor services at the rate of \$130.00 per hour not to exceed \$16,000.00 (Current) and \$6,500.00 (Water and Sewer Utility) a total of \$22,500; and

**WHEREAS**, Robert S. Morrison of Hodulik & Morrison, P.A., has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Rocky Hill in the previous one (1) year, and that the contract will prohibit the Robert S. Morrison of Hodulik & Morrison, P.A., from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rocky Hill in the County of Somerset, State of New Jersey, hereby retains Robert S. Morrison of Hodulik &

Morrison, P.A., as Municipal Auditor for the Borough of Rocky Hill for the year 2012, to perform the professional services ordinarily provided by a Registered Municipal Accountant of the State of New Jersey and receive such compensation as may be reasonable for such services; and

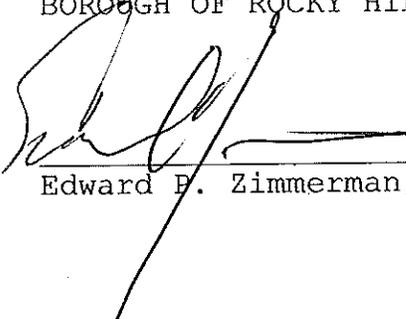
**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Rocky Hill is hereby authorized to enter into said agreement with Hodulik & Morrison, P.A.; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

ATTEST:

BOROUGH OF ROCKY HILL

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

BY:   
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

Dated: January 2, 2012

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

RESOLUTION 2011-16

APPOINTMENT OF BOROUGH ENGINEER

**WHEREAS**, N.J.S.A. 40A:9-140 requires that every municipality shall have a Municipal Engineer; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of a Municipal Engineer is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Rocky Hill has a need to acquire engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Rocky Hill has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, William Tanner, P.E., of Van Cleef Engineering, has submitted a proposal indicating he will provide engineering services at a rate of \$150.00 per hour not to exceed \$95,000.00; and

**WHEREAS**, William Tanner, P.E., of Van Cleef Engineering, has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Rocky Hill in the previous one (1) year, and that the contract will prohibit the William Tanner of Van Cleef Engineering from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rocky Hill in the County of Somerset, State of New Jersey, hereby retains William Tanner of Van Cleef Engineering as Municipal Engineer for the Borough of Rocky Hill for the year 2012, to perform the professional services ordinarily provided by a professional engineer of the State of New Jersey and receive such compensation as may be reasonable for such services; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Rocky Hill is hereby authorized to enter into said agreement with Van Cleef Engineering Associates; and

**IT IS FURTHER RESOLVED** that notice of this Resolution shall be published in the Courier News as required by law; and

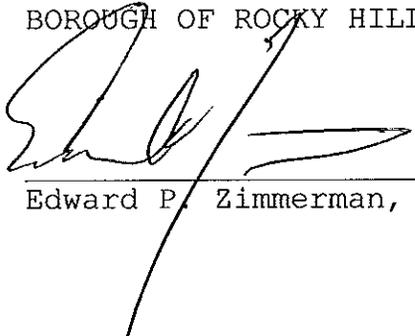
**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

ATTEST:

BOROUGH OF ROCKY HILL

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

BY:

  
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

Dated: January 2, 2012

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

RESOLUTION 2011-17

APPOINTMENT OF RISK MANAGEMENT CONSULTANT

WHEREAS, the Borough of Rocky Hill (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

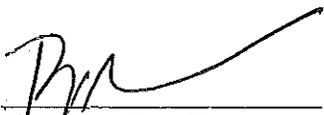
WHEREAS, the by-laws require participating members to appoint a Risk Management Consultant, as those positions are defined in the by-laws, if requested to do so by the "Fund"; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

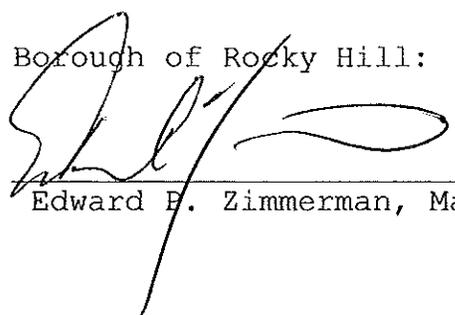
NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. Borough of Rocky Hill appoints Bollinger Inc./ Kevin McCall its local Risk Management Consultant.
2. The Mayor and Risk Management Consultant are hereby Authorized to execute the Risk Management Consultant's Agreement for the year 2012 in the form attached hereto.

Attest:

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

Borough of Rocky Hill:

  
\_\_\_\_\_  
Edward E. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

\_\_\_\_\_  
Rebecca P. Newman

Borough Clerk

**RESOLUTION 2012-18**

**APPOINTMENT OF MUNICIPAL PROSECUTOR**

**WHEREAS**, the Borough of Rocky Hill is in need of the services of a Municipal Prosecutor; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of an attorney is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Rocky Hill has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Rocky Hill has determined and certified in writing that the value of the contract will not exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, Raymond J. Stine, Esq., submitted a proposal indicating he will provide services at the rate of \$500.00 for each Municipal Court session where an appearance is required (not to exceed \$6,000.00 per year); and

**WHEREAS**, Raymond J. Stine, Esq., has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Rocky Hill in the previous one (1) year, and that the contract will prohibit Raymond J. Stine, Esq., from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rocky Hill in the County of Somerset, State of New Jersey, hereby retains Raymond J. Stine, Esq., as Municipal Prosecutor for the Borough of Rocky Hill for the period January 1, 2012 through December 31, 2012, to perform the professional services ordinarily provided by a Municipal Prosecutor of the

State of New Jersey and receive such compensation as may be reasonable for such services; and

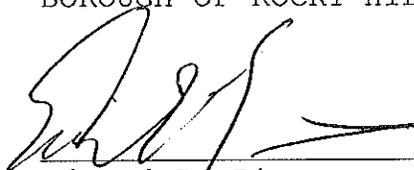
**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Rocky Hill is hereby authorized to enter into said agreement with Raymond J. Stine, Esq.; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

ATTEST:

BOROUGH OF ROCKY HILL

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

BY:   
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

Dated: January 2, 2012

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

**RESOLUTION 2012-19**

**APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER**

**WHEREAS**, the Borough of Rocky Hill is in need of the services of a Municipal Public Defender; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of an attorney is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Rocky Hill has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Rocky Hill has determined and certified in writing that the value of the contract will not exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, Jared Witt, 19 Montgomery Ave., Rocky Hill, NJ submitted a proposal indicating he will provide services at the rate of \$200.00 per case, as needed, but shall not exceed \$1,000.00 per year; and

**WHEREAS**, Jared Witt, Esq., has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Rocky Hill in the previous one (1) year, and that the contract will prohibit Jared Witt, Esq., from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rocky Hill in the County of Somerset, State of New Jersey, hereby retains Jared Witt, Esq. as Municipal Public Defender for the Borough of Rocky Hill for the period January 1, 2012 through December 31, 2012, to perform the professional

services ordinarily provided by a Municipal Public Defender of the State of New Jersey and receive such compensation as may be reasonable for such services; and

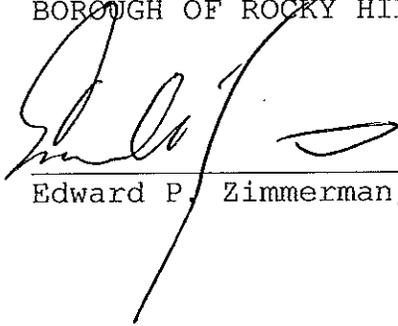
**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Rocky Hill is hereby authorized to enter into said agreement with Jared Witt, Esq.; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

ATTEST:

BOROUGH OF ROCKY HILL

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

BY:   
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

Dated: January 2, 2012

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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

**RESOLUTION 2012-20**

**APPOINTMENT OF BOROUGH PLANNER**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of a Borough Planner is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Rocky Hill has a need to acquire planning services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Rocky Hill has determined and certified in writing that the value of the contract will not exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, Tamara Lee, P.P., has submitted a proposal indicating she will provide planning services at the rate of \$105.00 per hour not to exceed \$1,000.00; and

**WHEREAS**, Tamara Lee, P.P., has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Rocky Hill in the previous one (1) year, and that the contract will prohibit Tamara Lee from making any reportable contributions through the term of the contract.

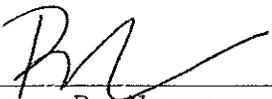
**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rocky Hill in the County of Somerset, State of New Jersey, hereby retains Tamara Lee, P.P., as Planner for the Borough of Rocky Hill for the year 2012, to perform the professional services ordinarily provided by a professional planner of the State of New Jersey and receive such compensation as may be reasonable for such services; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Rocky Hill is hereby authorized to enter into said agreement with Tamara Lee; and

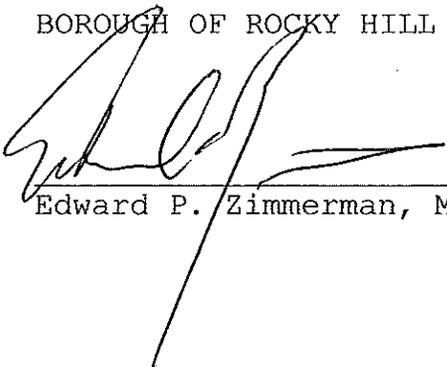
**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

ATTEST:

BOROUGH OF ROCKY HILL

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

BY:

  
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

Dated: January 2, 2012

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 2, 2012.

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