

Borough of Rocky Hill
Borough Council
Minutes of the Regular Meeting
March 19, 2012

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. Mayor Zimmerman asked for a moment of silence in memory of Marie Scasserra.

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. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 11, 2012. 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-absent, Ms. Julia Hasser-present, Mr. Mark Pausch-present, Mr. Josh Hochberg-present, Mr. Robert Steen-absent.

Also present: Mayor Ed Zimmerman, Borough Clerk Rebecca Newman, and Borough Attorney Albert Cruz.

MAYOR'S COMMENTS

Mayor Zimmerman commented that he attended the March Somerset County Governing Officials dinner and the next meeting is the second Wednesday in April. The Mayor announced that a historic flag is being donated to the Borough this Wednesday. The Mayor attended the Mayor's Roundtable on the topic of benchmarking. The Mayor presented historic plans of Rocky Hill that proposed row homes that were never built. The Mayor also presented footballs signed by two New York Giants to the residents of Rocky Hill.

The Mayor read a letter from the Rocky Hill Community Group requesting permission to hold community events. Hasser moved to approve the use of Borough Property for Earth Day Clean Up on April 21st, Town Yard Sale on May 12, Community Day June 3, and July 4th Celebration on June 30th. Bremner seconded the motion. Motion carried on voice vote, all ayes.

APPROVAL OF MINUTES

Regular Meeting Minutes – March 5, 2012—Hasser moved to approve the minutes as presented. Hochberg seconded the motion. Motion carried on roll call vote- all ayes.

For: Bremner, Hasser, Hochberg, Pausch

Against: None

Abstain: None

Executive Session Minutes– March 5, 2012—Hasser moved to approve the minutes as presented. Hochberg seconded the motion. Motion carried on roll call vote- all ayes.

For: Bremner, Hasser, Hochberg, Pausch

Against: None

Abstain: None

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

Hochberg requested to add a discussion of fees for marriage ceremonies and fire inspections.

PUBLIC COMMENT

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

Alicia Mitchell, on behalf of the Rocky Hill Cooperative Nursery School (RHCNS), requested approval to use Borough Property to hold a yard sale on May 12th. Hochberg moved to grant permission to the RHCNS to hold

a yard sale on Borough Property on May 12. Bremner seconded the motion. Motion carried on voice vote, all ayes.

APPROVAL OF VOUCHERS

Bill list dated March 19, 2012 was presented for approval. Pausch made a motion to approve all vouchers. Motion seconded by Hasser. Motion carried on roll call vote – all ayes.

For: Bremner, Hasser, Hochberg, Pausch

Against: None

Abstain: None

DEPARTMENTAL REPORTS

Tax Collector—February 2012

Court Administrator—February 2012

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, Hasser, Hochberg, Pausch

Against: None

Abstain: None

COMMITTEE REPORTS

Administration & Records –Hochberg working on new fire ordinance.

Buildings & Grounds –Bremner announced that Kids Vote will take place in Borough Hall during school board elections. Bremner has made several repairs to Borough Hall, including adding a railing to the cellar, and repairs in the RHCNS room. Architects will look at the Fire Department building to see if grants could be used to there. The Mayor suggested replacing the sign outside Borough Hall.

Finance & Insurance – No report.

Public Safety & Emergency Services – Pausch announced OEM meeting scheduled.

Streets & Roads – Hasser requested to have crosswalks repainted. The Mayor reported that a sinkhole remains at the corner of Merritt Lane and Lemore Circle. The Mayor also announced that the Mary Jacobs Library would like to coordinate shared services for snow removal.

Water, Sewer & Environmental Protection –No report.

Council Representative to Planning Board – Resolutions memorializing the two applications from the February meeting were approved at the March meeting.

Council Liaison to Recreation Committee—No report.

Council Representative to Board of Health – Rabies clinic will be held April 14th at Fire Department.

Zoning Official's Report – No report.

Grants Committee – Bremner will send a letter of inquiry to the New Jersey Historic Preservation Trust, and he found out that we don't meet requirements for an OEM grant.

SPECIAL BUSINESS

Resolution 2012-35 Resolution Approving a Shared Police Services Agreement with the Borough of South Bound Brook

Pausch moved to approve the resolution as presented. Motion seconded by Bremner. Motion carried on roll call vote – all ayes.

For: Bremner, Hasser, Hochberg, Pausch

Against: None

Abstain: None

Introduction Ordinance 2012-02: An Ordinance Amending the Fees Charged for Government Records
Vote tabled.

Discussion of whether to impose fees for marriage ceremonies and what those fees should be. Also discussed fees and ordinances related to fire inspections and fire safety.

Introduction Ordinance 2012-03: Bond Ordinance to Finance the Pedestrian Crosswalk Project

Hochberg moved to introduce the ordinance as presented. Hasser seconded the motion. Motion carried on roll call vote – all ayes.

For: Bremner, Hasser, Hochberg, Pausch

Against: None

Abstain: None

Presentation of Montgomery Township Board of Education Budget

Earl Kim, Superintendent, Thomas M. Venanzi, Business Administrator, and Dr. Christine Ross, Board Member delivered a presentation and answered questions regarding the proposed 2012-2013 budget. The presentation and budget brochure are available for reviewing in the Borough Clerk's office.

UNFINISHED BUSINESS

Resolution 2012-36 Resolution Ratifying the Councils' Decision to Hire a Back Up Water Superintendent

Hochberg moved to approve the resolution as presented. Motion seconded by Hasser. Motion carried on roll call vote – all ayes.

For: Bremner, Hasser, Hochberg, Pausch

Against: None

Abstain: None

Resolution 2012-37 Resolution Allowing the Borough Engineer to Bid the Crosswalk Project

Pausch moved to approve the resolution as presented. Motion seconded by Hochberg. Motion carried on roll call vote – all ayes.

For: Bremner, Hasser, Hochberg, Pausch

Against: None

Abstain: None

Resolution 2012-38 Resolution Amending Resolution 2012-30 Increasing the Borough's Sewer Rate

Pausch moved to approve the resolution as presented. Motion seconded by Hasser. Motion carried on roll call vote – all ayes.

For: Bremner, Hasser, Hochberg, Pausch

Against: None

Abstain: None

Discussion of Rocky Hill Flags

The Council and Clerk discussed ordering 25 Rocky Hill flags for \$39 per flag.

NEW BUSINESS

None

COMMUNICATIONS

None

FINAL PUBLIC COMMENT

Peggy Harris, 66 Crescent Avenue. Ms. Harris inquired about the status of the crosswalk project.

EXECUTIVE SESSION-Resolution 2012-39 Resolution To Retire Into Executive Session

A. Contract Negotiations: Township of Montgomery Sewer Agreement

B. Potential Litigation: Challenge to Equalization of the School Board Levy Formula

Hasser moved to retire into executive session. Bremner seconded the motion. Motion carried on voice vote.

ADJOURNMENT:

Motion was made by Bremner with a second by Hasser to adjourn the meeting at 9:40 PM. All voted in favor of adjournment.

Respectfully submitted:

Christine Witt
Deputy Borough Clerk

EXPLANATION: This Resolution authorizes Mayor and Clerk to sign a new Shared Police Services Agreement for police services.

RESOLUTION 2012 -35

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes municipalities to enter into contracts with any other municipality for the provision of services; and

WHEREAS, the Shared Police Services Agreement between the Borough of Rocky Hill and the Borough of South Bound Brook for police services expires on March 31, 2012; and

WHEREAS, both parties desire to renew the Shared Police Services Agreement; and

WHEREAS, the Borough of Rocky Hill desires to enter into a new Shared Police Services Agreement for police services with the Borough of South Bound Brook for a term of two (2) years from March 31, 2012, with one (1) year renewals at the option of Rocky Hill unless terminated upon written notice sixty (60) days in advance of the renewal date; and

WHEREAS, the Borough of Rocky Hill shall compensate the Borough of South Bound Brook at a rate of \$3,738.90 per month for the first year for a total of \$44,866.80, and at a rate of \$3,832.14 per month for the second year for a total of \$45,985.68 as described in Schedule A attached to the Shared Police Services Agreement; and

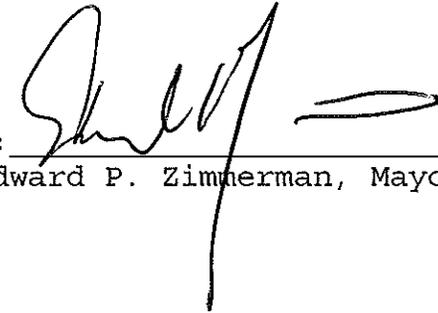
WHEREAS, the Mayor and Council of the Borough of Rocky Hill are of the opinion that it is in the best interest of its citizens to enter into a new Shared Police Services Agreement with the Borough of South Brook for police services.

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

1. That the Mayor and Clerk are authorized to sign the Shared Police Services Agreement between the Borough of South Bound Brook and the Borough of Rocky Hill for police services in the form attached to this Resolution.
2. This Resolution takes effect immediately.

ATTEST:

By: 
Rebecca Newman, RMC
Borough Clerk

By: 
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca Newman, 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 March 19, 2012.

Rebecca Newman, RMC
Borough Clerk

RESOLUTION 2012 -36

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, the Borough of Rocky Hill has determined there is a need to hire a back-up water superintendent; and

WHEREAS, Brian Fusco possesses the necessary qualifications to fill this position.

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 Council hires Brian Fusco for the position of back up water superintendent at an annual salary of \$500.00
2. This Resolution shall take effect immediately.

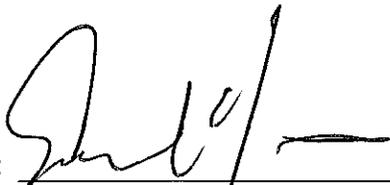
ATTEST:

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 March 19, 2012.

Rebecca P. Newman
Borough Clerk

RESOLUTION 2012 - 37

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, the Borough of Rocky Hill has researched various ways to improve the safety of pedestrians utilizing the Borough crosswalks; and

WHEREAS, the Borough has determined that installing flashing crosswalk signals to be the most effective way to alert drivers to pedestrians in the crosswalks; and

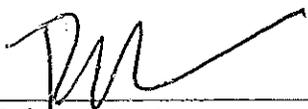
WHEREAS, the Borough has evaluated the costs associated with installing flashing crosswalk signals at multiple intersections within the Borough; and

WHEREAS, the Borough Engineer has estimated the total value of this project will exceed \$36,000.00 and therefore, pursuant to N.J.S.A 40A:11-3, sealed bids must be received for this project.

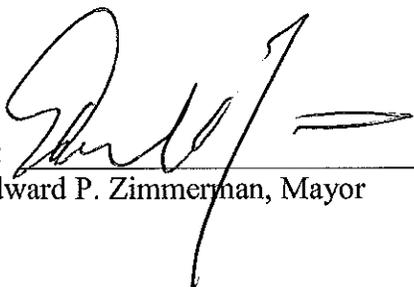
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. That the Borough Council grants permission to the Borough Engineer to prepare bid specs and to receive sealed bids for flashing crosswalk signal installation.
2. This Resolution shall take effect immediately.

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 March 19, 2012.

Rebecca P. Newman
Borough Clerk

THE BOROUGH OF ROCKY HILL, COUNTY OF SOMERSET, NEW JERSEY
RESOLUTION AMENDING THE METER RATES FOR WATER & SEWER USE

RESOLUTION 2012-38

WHEREAS, SECTION 22 Of an Ordinance KNOWN AS "An Ordinance Establishing the Water-Sewer Department of the Borough of Rocky Hill, County of Somerset, New Jersey, Designating the Officials Thereof and Defining their Duties, Establishing Rules and Regulations Governing Connections To and Use of the Sanitary Sewer System and the Use of Water and Providing Penalties Violation thereof, Setting Forth the Rate for the Use of the Sanitary Sewer System, and for the Use of Water and Requiring the Connection of Buildings and Structures Located Within the Borough of Rocky Hill with the Water Supply System and the Sanitary Sewer System", which Ordinance was passed on final reading December 19, 1977, provides that the meter rates for water and sewer use may be changed or altered from time to time by Resolution of the Mayor and Council, and

WHEREAS, the present meter rates are insufficient to cover the costs to the Borough of Rocky Hill providing water and providing sewer treatment,

NOW, THEREFORE, BE IT RESOLVED, By the Mayor and Borough Council of the Borough of Rocky Hill:

METER RATES FOR WATER USE

For all gallonages: \$2.25 per 1,000 gallons. The minimum billing for water use regardless of gallonage shall be \$13.50 per quarter.

METER RATES FOR SEWER USE

For all gallonages: \$7.75 per 1,000 gallons. The minimum billing for sewer use regardless of gallonage shall be \$46.50 per quarter.

BE IT FURTHER RESOLVED, That the new meter rates for sewer use recited herein shall become effective for usage retroactive to January 1, 2012

BE IT FURTHER RESOLVED, that the appropriate officials are hereby empowered to take such necessary and appropriate actions to effectuate the terms and purposes of this resolution.

BE IT FURTHER RESOLVED, that this resolution replaces resolution 2012-30 that was adopted on March 5, 2012.

EXPLANATORY STATEMENT

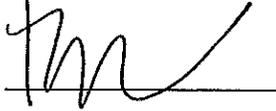
EXISTING RATES WERE:

\$2.25 /1000 GALLONS FOR WATER USE
\$6.75/ 1000 GALLONS FOR SEWER USE
\$54.00/PER QUARTER TOTAL MINIMUM BILL

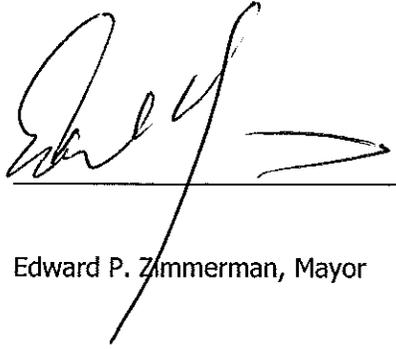
NEW RATES ARE:

\$2.25 /1000 GALLONS FOR WATER USE
\$7.75/1000 GALLONS FOR SEWER USE
\$60.00/PER QUARTER TOTAL MINIMUM BILL

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 and State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution duly adopted by the Mayor and Council on March 19, 2012.

Rebecca P. Newman, Borough Clerk