

**Borough of Rocky Hill  
Borough Council  
Minutes of the Regular Meeting  
October 19, 2015**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Jeff Donahue at 7:30 PM followed by the salute to the flag.

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

Mayor Donahue 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 7, 2015. 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. Robert Ashbaugh-present, Mr. Tom Bremner- present, Mr. Billy Dawson-present, Ms. Connie Hallman-present, Mr. Phil Kartsonis-present, Mr. Bob Uhrik-present.

Also present: Mayor Jeff Donahue, Borough Clerk Rebecca Newman, Deputy Clerk Christine Witt, and Borough Attorney Albert Cruz.

**MAYOR'S COMMENTS**

The Mayor thanked Jennifer Donahue of the Rocky Hill Community Group for organizing the Fall Borough Clean Up day. He also thanked Hillary and Trey Delaney for the work the yard work they did around Borough Hall. Council President Connie Hallman was also thanked for having the 125<sup>th</sup> anniversary banner hung over Washington Street.

**APPROVAL OF MINUTES**

Regular Meeting Minutes – October 5, 2015

Hallman moved to approve the minutes as presented and Dawson seconded the motion. Motion carried on roll call vote.

For: Bremner, Dawson, Hallman, Uhrik

Against: None

Abstain: Ashbaugh, Kartsonis

Executive Session Minutes – October 5, 2015

Bremner moved to approve the minutes as presented and Hallman seconded the motion. Motion carried on roll call vote.

For: Bremner, Dawson, Hallman, Uhrik

Against: None

Abstain: Ashbaugh, Kartsonis

**PUBLIC COMMENT**

Cliff Moore, Skillman Avenue, asked when the results of the Executive Session on the Affordable Housing litigation would be available to the public. Attorney Cruz replied that the minutes would not be made public while the matter is still in litigation. The Clerk advised Mr. Moore that information on the subject has been posted on the Borough website.

**APPROVAL OF VOUCHERS**

Bill List dated October 19, 2015 was presented for approval. Hallman moved to approve all vouchers except 8269. Motion seconded by Bremner. Motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hallman, Kartsonis, Uhrik

Against: None

Abstain: None

Kartsonis moved to approve voucher 8269, Dawson seconded, and motion carried on roll call vote.\*

For: Dawson, Kartsonis, Uhrik

Against: None

Abstain: None

\*Ashbaugh, Bremner, and Hallman recused themselves from the vote.

### DEPARTMENTAL REPORTS

Tax Collector—September 2015

Court Administrator—September 2015

Mayor Donahue delivered the reports.

### COMMITTEE REPORTS

**Administration & Records** – Mr. Bremner reported that he has received two solid quotes for the IT update.

**Buildings & Grounds** – Mr. Dawson reported that Hillary and Trey Delaney weeded around Borough Hall and Panicaro Park. The County work crew will be here next weekend. Discussed mulch. The basement electric work is not complete; still need an outlet for dehumidifiers. Parts are being ordered for the elevator room.

**Finance & Insurance** – Mr. Ashbaugh reported that quotes are still being solicited for insurance.

**Public Safety & Emergency Services** – Mr. Kartsonis reported that the constables are ready for traffic control on Halloween and for the library fundraiser. Mr. Kartsonis and the Fire Chief discussed the need for a swing gate on Route 518 in case of flooding.

**Streets & Roads** – Ms. Hallman reported that there are still problems associated with the Downtown Beautification project, including in front of 101 Washington Street. Leaf pickup will begin the week before Halloween. Montgomery Township is applying for a grant to repave their side of Princeton Avenue and asked the Borough for a letter of support. The snow removal contract has been amended; the contract will be based on a lump sum hourly rate rather than per crew.

**Water, Sewer & Environmental Protection** – Mr. Uhrik delivered the report prepared by Water Superintendent Tim Lesko: A total of 2,580,000 gallons were pumped from well # 2 during the month of September 2015. No water was purchased from American Water Company, and no water main breaks were reported during the month. The results for total Coliforms for the month of August were fine. Compliance lead and copper sampling for 2015 was done in September. The results are fine. John Kessler found no problems with the sanitary system during the month of September. Meter readings are done for the 3rd quarter of 2015. This quarter falls under the summer billing, so there will probably be some high readings. There have been several alarms at the well house for low tank levels. Mr. Lesko determined that the air stripper in pump # 2 was not working properly. Municipal Maintenance repaired the system. A few cub-boxes were covered by the contractor during the sidewalk project and must be repaired. Mr. Lesko will make a list of covered curb boxes and let Bill Tanner know what repairs will need to be done before the contractor receives his bond payment.

**Council Representative to Planning Board** – Ms. Hallman reported that the Planning Board approved the disassembly of a barn at 38 Washington Street. There was an application for a side porch for 97 Washington Street, but the Board determined it did not have jurisdiction to hear the case because the applicants to not give proper notice. The Planning Board endorsed the Affordable Housing Plan.

**Council Liaison to Recreation Committee** – Ms. Hallman reported that Rocky Hill history weekend was a success with 120 visitors.

**Council Representative to Board of Health** – Mr. Uhrik reported that the flu clinic is tomorrow from 10am-12pm. Ken Rizzi was voted president of the Board of Health. The Montgomery Health Department is applying for national accreditation.

**Zoning Officer's Report** – The Clerk reported that letters have been sent to all owners of contiguous, nonconforming lots to determine whether the property owners would consent to their non-conforming lots being consolidated.

**Grants Committee** – Mr. Bremner reported that the Fire Department received the grant it applied for, but the Borough did not. Both grant requests went to the Somerset County Cultural and Heritage Commission. Each application was for historic preservation and related work. The FD grant includes work to historic restoration and preservation, including repair/replace materials with more historically accurate building materials on the garage bay doors, and additional work on the interior of the building. The Borough Hall

applications focused on historic restoration and preservation work on the first floor of Borough Hall, the doorways and the stairwell to the second floor.

**SPECIAL BUSINESS**

**Resolution 2015-79: Authorizing the Award of Contract to JML Landscaping for Sidewalk and Inlet Repairs**

Bremner moved to approve the resolution and Dawson seconded the motion. Motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hallman, Kartsonis, Uhrik

Against: None

Abstain: None

**Resolution 2015-80: Authorizing the Award of Contract to Wells Tree Service for the Removal of Trees Throughout the Borough**

Dawson moved to approve the resolution and Kartsonis seconded the motion. Motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hallman, Kartsonis, Uhrik

Against: None

Abstain: None

**Resolution 2015-81: Authorizing the Mayor and Clerk to Sign a Discharge of Mortgage Regarding Lot 16 Block 10 on the Tax Map of the Borough of Rocky Hill**

Bremner moved to approve the resolution and Dawson seconded the motion. Motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hallman, Kartsonis, Uhrik

Against: None

Abstain: None

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

None

**COMMUNICATIONS**

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

**PUBLIC COMMENT**

Toby Whitlock, 94 Crescent Avenue, suggested that the Engineer speak to the resident who lives across the street from the Business Park regarding water in his basement. Mr. Whitlock believes this may be related to a water leak in the Borough's system. Mr. Whitlock also commented that last winter was severe, which may explain why the snow removal bills were so high.

**EXECUTIVE SESSION: Resolution 2015-82 to Retire into Executive Session (8:23 PM)**

Personnel: 2015 Appointments

Bremner moved to retire to Executive Session, Ashbaugh seconded, and motion carried on voice vote.

Executive Session ended and Regular Session resumed at 9:07 PM

**ADJOURNMENT**

Motion was made by Bremner with a second by Uhrik to adjourn the meeting at 9:07 PM. Motion carried on voice vote.

Respectfully submitted:  
Christine Witt  
Deputy Borough

October 19, 2015

List of Bills - (0110101001) CASH  
CURRENT FUND

Check#	Vendor	Description	Payment	Check Total
8626	12 - ARC OF SOMERSET COUNTY	PO 5562 Borough Hall cleaning September 201	200.00	200.00
8627	547 - Comcast	PO 5559 Phone and Internet	253.95	253.95
8628	598 - Dero Bike Rack Co.	PO 5547 Bike rack, Penny Farthing style, fo	817.77	817.77
8629	82 - ROCKY HILL FIRST AID SQUAD	PO 5561 First Aid Squad Reimbursement #2 20	4,779.38	4,779.38
8630	86 - GENERAL CODE PUBLISHERS	PO 5554 eCode360 Annual Maintenance	1,195.00	1,195.00
8631	591 - HOME DEPOT CREDIT SERVICES	PO 5548 Purchase 9/29/15	66.23	66.23
8632	115 - JML LANDSCAPING INC.	PO 5549 Cleanup 2 brush debris piles: Merri	500.00	500.00
8633	149 - MASTROIANNI LANDSCAPING INC	PO 5553 Walkway snow and ice removal with 1	12,658.08	12,658.08
8634	163 - MONTGOMERY TOWNSHIP	PO 5551 Contractual Public Health Services	5,150.00	5,150.00
8635	210 - PSE&G	PO 5555 Street Lights Electric	1,491.16	1,491.16
8636	210 - PSE&G	PO 5556 Crescent Point Park electric	8.54	8.54
8637	210 - PSE&G	PO 5557 Crescent Point Park electric	7.35	7.35
8638	210 - PSE&G	PO 5564 Municipal Building electric	303.58	303.58
8639	247 - SOMERSET COUNTY TREASURER	PO 5565 Hanging banner over Washington Stre	173.93	173.93
8640	558 - THINK PAVERS HARDSCAPING, LLC, Escr	PO 4970 Downtown Beautification Sidewalk Pr	23,974.55	48,558.99
		PO 4970 Downtown Beautification Sidewalk Pr	24,584.44	
8641	387 - W. B. MASON CO.	PO 5558 Office Supplies	111.94	111.94
8642	293 - ROCKY HILL WATER & SEWER DEPARTMENT	PO 5550 Hydrants & Borough Hall water/sewer	868.75	868.75
TOTAL				77,144.65

Total to be paid from Fund 01 CURRENT FUND 28,585.66  
 Total to be paid from Fund 02 STATE AND FEDERAL GRANT FUND 24,584.44  
 Total to be paid from Fund 04 GENERAL CAPITAL FUND 23,974.55  
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 77,144.65

List of Bills - (0810101001) CASH  
UTILITY OPERATING

Check#	Vendor	Description	Payment	Check Total
7059	415 - AQUA PRO TECH LABS	PO 5568 Water Dept. Testing	123.00	123.00
7060	93 - Donna M. Griffiths	PO 5567 Postage for Water/Sewer bills	90.65	90.65
7061	321 - MIRACLE CHEMICAL CO	PO 5566 Water Dept. chemicals	60.40	60.40
7062	450 - ONE CALL CONCEPTS INC	PO 5560 September One Calls	9.92	9.92
7063	204 - PITNEY BOWES	PO 5563 Postage Machine Rental	29.00	29.00
7064	316 - STATE OF NEW JERSEY PWT	PO 5552 State water tax Q3 2015	62.82	62.82
				375.79
7065	210 - PSE&G	PO 5569 Water Dept. electric	1,332.87	1,332.87
TOTAL				1,332.87

Total to be paid from Fund 08 UTILITY OPERATING 1,332.87  
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 1,332.87

**RESOLUTION 2015- 79**

**BOROUGH OF ROCKY HILL  
SOMERSET COUNTY**

**WHEREAS**, the Borough of Rocky Hill has determined there is a need for sidewalk repairs and inlet repairs as follow:

- 1 Princeton Avenue- remove and replace 20 LF of curbing, grind stump and remove and replace 8 SY of sidewalk
- Water Line Repair Area Princeton Ave- Install 5 SY of sidewalk
- Princeton Ave/Park – Reconstruct Inlet
- Washington Street Sidewalk- Remove and Replace; and

**WHEREAS**, the Borough of Rocky Hill has requested quotes for this work and received the following:

JML Landscaping	\$4097.09
T. Fiதாகis	no quote returned

**WHEREAS**, the quote that is most advantageous to the Borough of Rocky Hill is that from JML Landscaping, and

**WHEREAS**, the amount is below the bid threshold and will not exceed \$17,500.00 pursuant to N.J.S.A. 40A:11-1 et seq.; and

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

**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 issues an award of contact to JML Landscaping
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:



RESOLUTION 2015- 80

BOROUGH OF ROCKY HILL  
SOMERSET COUNTY

**WHEREAS**, the Borough of Rocky Hill has determined there are trees located on Borough property that have died and need to be removed; and

**WHEREAS**, the Borough of Rocky Hill has requested quotes for this work and received the following:

Wells Tree	\$4,450.00
McCabe Tree	No quote returned
Bartlett Tree Service	No quote returned

**WHEREAS**, the quote that is most advantageous to the Borough of Rocky Hill is that from Wells Tree Service, and

**WHEREAS**, the amount is below the bid threshold and will not exceed \$17,500.00 pursuant to N.J.S.A. 40A:11-1 et seq.; and

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

**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 issues an award of contact to Wells Tree Services.
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  
Acting Borough Clerk

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

Jeff Donahue, 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: 01-201-43-493-199.

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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 19, 2015.

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Rebecca P. Newman  
Borough Clerk

**EXPLANATION:** This Resolution authorizes the Mayor and Clerk to sign a Discharge of Mortgage regarding Lot 16 in Block 10 on the Tax Map of the Borough of Rocky Hill.

**BOROUGH OF ROCKY HILL**

**RESOLUTION NO. 81**

**WHEREAS,** on September 14, 2000, Sabatino P. Panicaro and Beverly H. Panicaro, the owners of property known as 45 Crescent Avenue, Lot 16 in Block 10 on the Borough of Rocky Hill Tax Map ("Property"), executed a Property Rehabilitation Mortgage ("Mortgage") for a loan of \$9,000.00 from the Borough of Rocky Hill ("Borough") for the rehabilitation of their dwelling; and

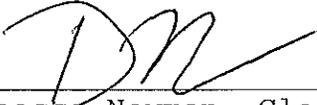
**WHEREAS,** because the terms of the Mortgage have been met, the Mortgage, by its terms, was automatically forgiven in full by the Borough on September 1, 2007 and should be discharged of record; and

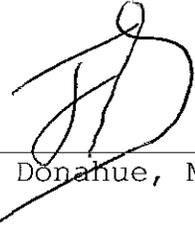
**WHEREAS,** the purpose of this Resolution is to authorize the Mayor and Clerk of the Borough of Rocky Hill to execute a Discharge of Mortgage which is to be filed with the Somerset County Clerk's office.

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

1. That the Mayor and Clerk are hereby authorized to sign the Discharge of Mortgage which has been prepared by the Borough Attorney.
2. That the original Discharge of Mortgage be sent by the Borough Attorney to the Somerset County Clerk's office, with a copy to Sabatino P. Panicaro and Beverly H. Panicaro, c/o Robert P. Casey, Esq., Lenox Law Firm, 136 Franklin Corner Road, Unit 82, Lawrenceville, New Jersey 08648.
3. This Resolution shall take affect immediately.

ATTEST:

By:   
Rebecca Newman, Clerk

By:   
Jeff Donahue, 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 \_\_\_\_\_, 2015.

\_\_\_\_\_  
Rebecca Newman, Clerk

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

BOROUGH OF ROCKY HILL

RESOLUTION 2015- 82

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 19, 2015
2. The general nature of the subject matter to be discussed is as follows:  
**Personnel: 2015 Appointments**
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.

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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 19, 2015.

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Rebecca P. Newman  
Borough Clerk