

**Borough of Rocky Hill  
Borough Council  
Minutes of the Regular Meeting  
December 21, 2015**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor 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, Clerk Rebecca Newman, Deputy Clerk Christine Witt CFO Joe Monzo and Borough Attorney Albert Cruz.

**MAYOR'S COMMENTS**

Mayor Donahue noted that it was the last meeting of the year and thanked everyone for their support. The Mayor gave a special thank you to Council President Connie Hallman.

**APPROVAL OF MINUTES**

Regular Meeting Minutes – December 7, 2015

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

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

Against: None

Abstain: None

**PUBLIC COMMENT**

Raymond Whitlock, 94 Crescent Avenue, suggested that the Borough send a thank you to Branchburg for the additional leaf pick up.

**APPROVAL OF VOUCHERS**

Bill List dated December 21, 2015 was presented for approval. Mr. Ashbaugh moved to approve all vouchers except 8707 and 8715. Motion seconded by Mr. Bremner. Motion carried on roll call vote.

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

Against: None

Abstain: None

Mr. Dawson moved to approve voucher 8707, Mr. Kartsonis seconded the motion, and motion carried on roll call vote.

For: Dawson, Kartsonis, and Uhrik

Against: None

Abstain: None

Recused from vote: Ashbaugh, Bremner, Hallman

Mr. Bremner moved to approve voucher 8715, Mr. Dawson seconded the motion, and motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hallman. Kartsonis

Against: None

Abstain: Uhrik

### **DEPARTMENTAL REPORTS**

Tax Collector—October & November 2015

Court Administrator—October & November 2015

The Mayor delivered the reports.

Water Department—November 2015.

Mr. Uhrik delivered the report prepared by Water Superintendent Tim Lesko.

### **COMMITTEE REPORTS**

**Administration & Records** – Mr. Bremner reported that the upgrade of the computers and IT network has begun.

**Buildings & Grounds** – Mr. Dawson reported that he has tried to fix the leaking sink in the bathroom, but it needs to be replaced. He has received estimates for the flagpole light repair. The elevator room has been repaired and painted.

**Finance & Insurance** – Mr. Ashbaugh reported joining the Statewide JIF in 2016 will result in a savings of \$12,800.

**Public Safety & Emergency Services** – Mr. Kartsonis reported that the recovery meetings at the First Reformed Church have been quieter. Requests of the County to install a floodgate on Route 518 by the Millstone River have gone unanswered. Mr. Kartsonis met with the Mayor and CFO to discuss how to improve the reimbursement process for the emergency services organizations. The Mayor discussed the need for an additional “No Parking” sign on Route 518 near the First Reformed Church.

**Streets & Roads** – Ms. Hallman discussed the scheduling of street sweeping.

**Water, Sewer & Environmental Protection** – Mr. Uhrik delivered the report under Departmental Reports.

**Council Representative to Planning Board** – Ms. Hallman reported that the Planning Board approved a side porch for 97 Washington Street but required that the porch be no wider than 10 feet. The applicants of 38 Washington Street received Historic Preservation approval to rebuild a barn.

**Council Liaison to Recreation Committee**- No report.

**Council Representative to Board of Health** – Mr. Uhrik attended the joint meeting of all contracting towns of the Montgomery Township Health Department. There was no regular Board of Health meeting.

**Zoning Officer’s Report** – A letter was sent to Fredrick Karch on August 5, 2015. He came in person to Borough Hall and stated he was working on repairs. A second letter was sent in October. He responded by email saying he was getting bids for painting and hoped to be able to get paint before the weather got bad.

**Grants Committee** – no report.

### **SPECIAL BUSINESS**

#### **Discussion of Rocky Hill Emergency Services**

\*Mr. Ashbaugh, Ms. Hallman, and Mr. Bremner were recused from the discussion.

The Mayor asked the Council for their feedback on the First Aid Squad’s request for the Borough to reallocate funds from the 2015 budget to facilitate the purchase of a used ambulance. The CFO explained that \$80,000 of the 2105 budget is being cancelled to surplus and other money is designated for specific line items in the budget, leaving a total of \$40,000 unaccounted for. Mr. Monzo also pointed out that the vehicle would need to be purchased in 2015 to use funds from this year. Mr. Kartsonis expressed his opinion that a late November request for an unclear amount of money is not appropriate. Mr. Dawson questioned if they followed the proper process for purchasing a used vehicle. Mayor Donahue concurred that both the timing and process are issues, and that this request should be made next year.

The Borough received audits from both the First Aid Squad and Fire Department. While the audits provided benefits to all parties, they came with a high price tag. Mayor Donahue recommended covering half of the expense for each department, \$2000 each for a total of \$4000. The Council was in consensus to support this recommendation.

**Resolution 2015-88: Authorizing a Budget Transfer**

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

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

Against: None

Abstain: None

**Resolution 2015-89: Authorizing the Cancellation of Appropriations**

Mr. Dawson moved to approve the resolution, and Ms. Hallman seconded the motion. Motion carried on roll call vote.

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

Against: None

Abstain: None

**Resolution 2015-90: Establishing a Snow Trust Fund**

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

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

Against: None

Abstain: None

**Resolution 2015-91: Authorizing a Chapter 159 Insertion of Revenue into the Municipal Budget**

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

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

Against: None

Abstain: None

**UNFINISHED BUSINESS**

**Resolution 2015-92: Authorizing Central Jersey Security to Install New Smoke Detectors for an Amount Not to Exceed \$750.00.**

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

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

Against: None

Abstain: None

**Resolution 2015-93: Authorizing the Mayor and Clerk to sign a Contract with Go-Daddy.com for the Hosting of the Historic Website**

Mr. Bremner moved to approve the resolution, and Ms. Hallman seconded the motion. Motion carried on roll call vote.

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

Against: None

Abstain: None

**Resolution 2015-94: Awarding a Contract to Mastroianni Landscaping for Snow Plowing**

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

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

Against: None

Abstain: None

**Resolution 2015-95: Authorizing the Indemnification of the JIF**

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

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

Against: None

Abstain: None

**Resolution 2015-96: Appointing Willis Group as the Borough's Risk Manager**

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

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

Against: None

Abstain: None

**Resolution 2015-97: Appointing/Designating RHFED as Borough Responding Agency**

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

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

Against: None

Abstain: None

**Resolution 2015-98: Appointing/Designating RHFARS as Borough Responding Agency**

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

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

Against: None

Abstain: None

**COMMUNICATIONS**

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

**PUBLIC COMMENT**

The floor was opened to public comment, hearing none the floor was closed.

**EXECUTIVE SESSION: Resolution 2015-99 to Retire into Executive Session (8:40 PM)**

1. Potential Litigation-Malibu Media, LLC v. John Doe and Borough of Rocky Hill, Civil Action No. 3:15-cv-06888-FLW-LGH
2. Contract Negotiations-Affordable Housing Administrator
3. Litigation—In the Matter of the Borough of Rocky Hill for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan, Docket No. L-901-15

Mr. Bremner moved to retire to Executive Session, Ms. Hallman seconded, and motion carried on voice vote.

Executive Session ended and Regular Session resumed at 9:50 PM

**NEW BUSINESS**

**Resolution to Purchase New Fixtures for Flagpole Light**

Mr. Bremner moved to approve the purchase of new fixtures for the flagpole light not to exceed \$520. Mr. Dawson seconded the motion. Motion carried on roll call vote.

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

Against: None

Abstain: None

**Discussion of Reorg Meeting Change**

The Reorganization meeting was rescheduled for Wednesday, January 6, 2016 at 7:00 PM.

**ADJOURNMENT**

Motion was made by Mr. Bremner with a second by Mr. Dawson to adjourn the meeting at 9:52 PM. Motion carried on voice vote.

Respectfully submitted:  
Christine Witt  
Deputy Borough

**List of Bills - (0110101001) CASH  
CURRENT FUND**

Check#	Vendor	Description	Payment	Check Total
8702	600 - ACCELA	PO 5652 Agenda and Minutes software	225.00	225.00
8703	12 - ARC OF SOMERSET COUNTY	PO 5650 Borough Hall cleaning November 2015	200.00	200.00
8704	39 - CENTRAL JERSEY SECURITY	PO 5651 Q1 2016 Alarm Monitoring	93.00	93.00
8705	39 - CENTRAL JERSEY SECURITY	PO 5655 Replaced smoke detectors	163.00	163.00
8706	547 - Comcast	PO 5636 Phone and Internet	253.95	253.95
8707	82 - ROCKY HILL FIRST AID SQUAD	PO 5641 First Aid Squad Reimbursement #4 20	6,428.01	6,428.01
8708	83 - G & T Landscaping Inc	PO 5297 Lawn Service 2015 Reso 2015-42	445.00	445.00
8709	604 - GoDADDY LLC	PO 5653 Website for Historic District	110.00	110.00
8710	571 - PRINCETON AIR	PO 5648 Boiler Repairs: 11/23, 12/3/15	1,851.43	1,851.43
8711	210 - PSE&G	PO 5634 Street Lights Electric	800.00	800.00
8712	210 - PSE&G	PO 5644 Crescent Point Park electric	7.50	7.50
8713	210 - PSE&G	PO 5645 Panicaro Park electric	5.87	5.87
8714	210 - PSE&G	PO 5646 Municipal Building electric	478.71	478.71
8715	603 - Robert Uhrik	PO 5637 Conference Expenses	462.60	462.60
8716	247 - SOMERSET COUNTY TREASURER	PO 5639 County Household Recycling Q4 2015	1,747.16	1,747.16
8717	259 - NEW JERSEY STATE TREASURER	PO 5638 Marriage license fees	25.00	25.00
8718	495 - Township of Branchburg MGL Farms	PO 5580 Leaf pick up and removal 2015 Dog Car license	15,000.00	15,000.00
	<b>TOTAL</b>		324	28,296.23

Total to be paid from Fund 01 CURRENT FUND

28,296.23

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

Check#	Vendor	Description	Payment	Check Total
8701	530 - WOOLSON SUTPHEN ANDERSON	PO 5654 Planning Board Legal Services: 38 W	444.00	444.00
	<b>TOTAL</b>			444.00

Total to be paid from Fund 19 TRUST OTHER

444.00

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

Check#	Vendor	Description	Payment	Check Total
7081	415 - AQUA PRO TECH LABS	PO 5633 Water Dept. testing	13.00	13.00
7082	380 - HANS OLSEN	PO 5642 Water Dept. Maintenance	150.00	150.00
7083	450 - ONE CALL CONCEPTS INC	PO 5635 November One Calls	2.48	2.48
7084	204 - PITNEY BOWES	PO 5649 Postage Machine Rental	29.99	29.99
7085	210 - PSE&G	PO 5647 Water Dept. electric	1,471.11	1,471.11
7086	311 - TIM LESKO	PO 5643 Water Dept. maintenance	350.00	350.00
	<b>TOTAL</b>			2,016.58

Total to be paid from Fund 08 UTILITY OPERATING

2,016.58

2,016.58



RESOLUTION 2015- 89

**RESOLUTION FOR THE CANCELLATION OF APPROPRIATIONS IN THE CURRENT  
FUND IN THE  
Borough OF Rocky Hill FOR THE BUDGET YEAR 2015**

BE IT RESOLVED on this 21st day of December, 2015 by the Borough Council for the Borough of Rocky Hill, County of Somerset, that from the surplus balance in the 2015 budget appropriations the following balances be cancelled to fund balance:

CURRENT FUND: Inside the CAP to Inside the CAP  
Operating Expenses and Salaries & Wages

<u>Title</u>		
Streets	OE	10,000.00
Blgds and Grounds	OE	25,000.00
Parks	OE	6,000.00
LOSAP	OE	6,000.00
Public Defender	OE	600.00
Recreation	OE	3,000.00
Somerset County Road Repairs	OE	5,400.00
CIF Computer Network	OE	20,000.00
Garbage and Trash	OE	4,000.00
<b>Total</b>		<b>80,000.00</b>

ATTEST:



Rebecca P. Newman, RMC  
Borough Clerk



Jeff Donahue  
Mayor

BOROUGH OF ROCKY HILL  
COUNTY OF SOMERSET

RESOLUTION 2015-90

RESOLUTION REQUESTING PERMISSION TO CREATE A DEDICATION BY RIDER FOR STORM  
RECOVERY COSTS PER NJSA 40A: 4-62.1

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedicated by rider of revenues by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, PL 2001, c 138 permits municipalities to lapse unexpended balances budgeted annually for snow removal and other storm recovery costs; and

WHEREAS, NJSA 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies dedicated by rider;

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. the governing body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Storm Recovery created in accordance with the provisions of PL 2001, c 138 as per 40A:4-39; and

2. that the following unexpended balances from snow related appropriations be transferred to the established reserve

a- Streets and Roads- Snow Removal	\$ 6,000
b- Interlocal Service Agreement – County of Somerset Snow Removal	\$ 12,000

3. The municipal clerk of the Borough of Rocky Hill is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services

Adopted: December 21, 2015

Attest:



Rebecca P. Newman, RMC

Borough Clerk



Jeff Donahue, Mayor

**BOROUGH OF ROCKY HILL  
COUNTY OF SOMERSET**

**RESOLUTION 2015-91**

**Providing for the Insertion of a Special Item of Revenue in the 2015 Budget Pursuant to N.J.S. 40A:4-87 (Chapter 159, P. L. 1948)**

**WHEREAS**, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount.

**SECTION 1**

**NOW, THEREFORE BE IT RESOLVED** on this 21<sup>st</sup> day of December, 2015, that the Borough of Rocky Hill hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$ 1,323.00 which item is now available as an additional revenue for Rocky Hill Borough from the State of NJ-Recycling Tonnage Grant

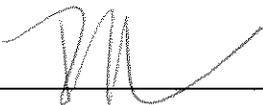
**SECTION 2**

**BE IT FURTHER RESOLVED** that a like sum of \$ 1,323.00 and the same is hereby appropriated under the caption of:

State of NJ – Recycling Tonnage Grant

Adopted: December 21, 2015

Attest:



Rebecca P. Newman, RMC  
Borough Clerk



Jeff Donahue, Mayor

BOROUGH OF ROCKY HILL  
COUNTY OF SOMERSET

RESOLUTION 2015-92

WHEREAS, Central Jersey Security maintains the Borough's fire alarm system at the Borough Hall; and

WHEREAS, Central Jersey Security has recommended that the Borough replace the smoke detectors as they are old; and

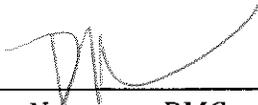
WHEREAS, a quote was provided at \$68.00 per detector plus a flat fee of \$95.00 to install all 9 detectors.

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

1. That the Borough of Rocky Hill authorizes Central Jersey Security to change all 9 smoke detectors at Borough Hall for a total amount not to exceed \$750.00.
2. That there are sufficient funds in the Borough of Rocky Hill budget for this contract as certified by the Chief Financial Officer.
3. This resolution shall take affect immediately.

Adopted: 12/21/15

ATTEST:



Rebecca Newman, RMC  
Borough Clerk



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:\_\_\_\_\_.

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

**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 December 21, 2015.

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Rebecca P. Newman  
Borough Clerk

**RESOLUTION 2015- 94**

**BOROUGH OF ROCKY HILL  
SOMERSET COUNTY**

**WHEREAS**, the Borough of Rocky Hill solicited quotes for snow removal; and

**WHEREAS**, a quote was received as follows:

- Mastroianni Landscaping Inc., Hopewell NJ – \$330.00 per hour for a crew of 6 persons, plus \$8.79 per 10lb bag of deicer

**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 enters into a contract with 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, 2016 through December 31, 2016.
2. That Mastroianni Landscaping will perform these services at a rate of \$330.00 per hour for a crew of 6 through December 31, 2016.
3. That there are sufficient funds in the Borough of Rocky Hill budget for this purchase as certified by the Chief Financial Officer.
4. The Contract shall not exceed \$17,000.00 annually
5. This Resolution shall take effect immediately.

ATTEST:

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

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

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

**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 December 21, 2015.

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

2015-95

## STATEWIDE INSURANCE FUND

### RESOLUTION TO JOIN (RENEW) THE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund ("FUND"), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, Borough of Rocky Hill ("LOCAL UNIT") has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2016** terminating on **January 1, 2019** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked "Yes":



## INDEMNITY AND TRUST AGREEMENT

THIS AGREEMENT made this 21<sup>st</sup> day of Dec 2015, in the County of Morris, State of New Jersey, by and between the Statewide Insurance Fund (hereinafter "FUND"), and The Borough of Rocky Hill in the County of Somerset, a duly constituted local unit of government (hereinafter "LOCAL UNIT");

WHEREAS, two or more local units have collectively formed a joint insurance fund as such an entity is authorized and described in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the LOCAL UNIT has agreed to become a member of the FUND in accordance with and to the extent provided for in the Bylaws of the FUND and in consideration of such obligations and benefits to be shared by the membership of the FUND; and

WHEREAS, the LOCAL UNIT has complied with relevant law with regard to the acquisition of insurance; NOW, THEREFORE, it is agreed as follows:

1. The LOCAL UNIT, upon entering the FUND, agrees to be bound by and to accept and comply with each and every provision of the FUND's Bylaws, Risk Management Program, as it applies to the LOCAL UNIT and the applicable statutes and administrative regulations pertaining to joint insurance funds.
2. The LOCAL UNIT agrees to participate in the FUND with respect to those coverage listed in the LOCAL UNIT's "Resolution to Join" in accordance with the FUND's Bylaws and Risk Management Program.
3. The LOCAL UNIT agrees to become a member of the FUND until **January 1, 2019**, at 12:01 a. m. eastern standard time. The commencement date shall be the effective date as established by the FUND's Bylaws and policies.
4. The LOCAL UNIT certifies that it has not been canceled for non-payment of insurance premiums for a period of at least two (2) years prior to the date hereof, or, if self-insured, that it has never defaulted on any claims.
5. In consideration of membership in the FUND, the LOCAL UNIT agrees that it shall jointly and severally assume and discharge the liability of each and every member of the FUND in accordance with statute and regulation, and by execution hereof the full faith and credit of the LOCAL UNIT is pledged to the punctual payment of any sums which shall become due to the FUND in accordance with the Bylaws thereof, this Agreement or any applicable statute or regulation.

6. If the FUND, in the enforcement of any part of this Agreement, shall incur necessary expense or become obligated to pay attorney's fees and/or court costs, the LOCAL UNIT agrees to reimburse the FUND for all such reasonable expenses, fees and costs on demand.

7. The LOCAL UNIT and the FUND agree that the FUND shall hold in trust all monies paid by the LOCAL UNIT to the FUND and those monies will be used in accordance with all applicable statutes, the FUND's Bylaws and the Risk Management Program.

8. If required by the Commissioner of Insurance or applicable statutes or regulations, the FUND shall establish separate trust fund accounts in accordance with N.J.S.A. 40A:10-36, et seq. and any other statutes or regulations that may be applicable. Said trust accounts shall be used solely for the payment of claims made against members of the FUND, excess insurance premiums and/or the administration of the FUND, or for such other purposes as now or hereunder permitted by statute or regulation.

9. Each LOCAL UNIT which shall become a member of the FUND shall be obligated to execute an agreement similar in form to this Agreement.

10. To the extent required by law, the LOCAL UNIT shall provide notice of this Agreement to the Office of the State Comptroller.

Borough of Rocky Hill

**Member Name**

ATTEST:



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



Title: Mayor



\_\_\_\_\_  
Clerk

STATEWIDE INSURANCE FUND

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

Chairman

ATTEST: \_\_\_\_\_

Secretary

Dated: \_\_\_\_\_

2015-94

**RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT**

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

**WHEREAS,** the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; 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 "Local Unit", in the County of Somerset and State of New Jersey, as follows:

1. Rocky Hill hereby appoints WILLIS G. NJ its local Risk Management Consultant.
2. The \_\_\_\_\_ (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the years 2016, 2017, 2018 in the form attached hereto.

Name of Entity: Borough of Rocky Hill

Attest: [Signature]

Rebecca Newman, Clerk  
Name and title

**Certification**

I, Rebecca 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 12/21, 20 15

[Signature]  
Clerk

Witness my hand and seal of the  
Borough of Rocky Hill

This day of Dec 21, 2015

**2016 FUND YEAR  
STATEWIDE INSURANCE FUND**

**RISK MANAGEMENT CONSULTANT'S AGREEMENT**

**THIS AGREEMENT** entered into this 21<sup>st</sup> day of Dec 2015, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, Borough & Rocky Hill ("MEMBER") and Willis Group ("CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

**WHEREAS**, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

**WHEREAS**, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

**WHEREAS**, the MEMBER desires these professional services from the CONSULTANT; and

**WHEREAS**, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

**WHEREAS**, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

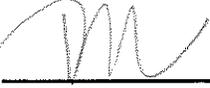
**NOW, THEREFORE**, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

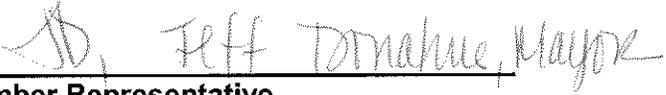
1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
  - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
  - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
  - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
  - (d) explain to the MEMBER, or its representatives the operation of the FUND.
  - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
  - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
  - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.

- (h) assist in the claims settlement process, if required, by MEMBER or FUND.
  - (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
  - (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
  - (k) act in good faith and fair dealing to the FUND.
  - (l) perform other duties for the FUND as may be required from time to time by the FUND.
2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:
- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);
  - (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
  - (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
  - (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.
3. The term of this Agreement shall be from **January 1, 2016 to January 1, 2017**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.

5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

**ATTEST:**

  
\_\_\_\_\_  
Rebecca Newman, RMC

  
\_\_\_\_\_  
Member Representative

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
Risk Management Consultant Corporate Officer

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
Statewide Insurance Fund Chairperson

**EXHIBIT A  
STATEWIDE INSURANCE FUND**

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE**  
(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

**GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS**

This form is a summary of the successful professional service entity's requirement to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

The successful professional service entity shall submit to the Statewide Insurance Fund, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

**OR**

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

**OR**

(c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Statewide Insurance Fund during normal business hours.

**The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.**

**The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.**

COMPANY: BONDISH of Rocky Hill

SIGNATURE: [Signature]

PRINT NAME: Rebecca Newman

TITLE: Bondish Clerk

DATE: 12/21/15

**Resolution 2015-97**

**Borough of Rocky Hill  
Somerset County**

Whereas, the Borough of Rocky Hill has obtained and funded insurance coverage for the Rocky Hill Hook & Ladder Co. No. 1 (hereafter RHFD) from commercial insurers in the past; and,

Whereas, the Borough of Rocky Hill intends to obtain such insurance coverage for RHFD in 2016 from a joint insurance fund that requires enactment of an ordinance formally designating the RHFD as the authorized first responder fire department for and within the Borough; and,

Whereas, enactment of an ordinance is not possible before the beginning of the next calendar year due to the timing requirements of advertisement, public hearing, and second reading; and,

Whereas, the Borough has been advised by Statewide Insurance Fund that a resolution expressing an intent to seek such an ordinance would be sufficient until such time as the Borough could take up consideration of its terms;

**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:

That the Council expresses its intent to consider enactment, in accordance with procedures established in law, of an Ordinance designating and affirming the RHFD as the authorized responder agency for fire emergency and related services for and within the Borough.

Attest:

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

By:   
\_\_\_\_\_  
Jeff Donahue  
Mayor

**Resolution 2015-98**

**Borough of Rocky Hill  
Somerset County**

Whereas, the Borough of Rocky Hill has obtained and funded insurance coverage for the Rocky Hill First Aid and Rescue Squad (hereafter RHFARS) from commercial insurers in the past; and,

Whereas, the Borough of Rocky Hill intends to obtain such insurance coverage for RHFARS in 2016 from a joint insurance fund that requires enactment of an ordinance formally designating the RHFARS as the authorized first responder emergency services agency for and within the Borough; and,

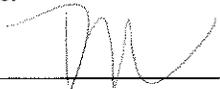
Whereas, enactment of an ordinance is not possible before the beginning of the next calendar year due to the timing requirements of advertisement, public hearing, and second reading; and,

Whereas, the Borough has been advised by Statewide Insurance Fund that a resolution expressing an intent to seek such an ordinance would be sufficient until such time as the Borough could take up consideration of its terms;

**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:

That the Council expresses its intent to consider enactment, in accordance with procedures established in law, of an Ordinance designating and affirming the RHFARS as the authorized responder agency for emergency medical and related services for and within the Borough.

Attest:

By:   
Rebecca P. Newman  
Borough Clerk

By:   
Jeff Donahue  
Mayor

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

BOROUGH OF ROCKY HILL

RESOLUTION 2015- 99

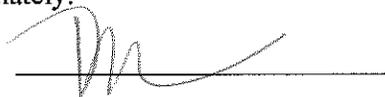
WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12(b) (1-9) permits the exclusion of the public from a meeting in certain circumstances; and

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 December 21, 2015
2. A. Potential Litigation-Malibu Media, LLC v. John Doe and Borough of Rocky Hill, Civil Action No. 3:15-cv-06888-FL-LGH  
B. Contract Negotiations-Affordable Housing Administrator  
C. Litigation-In the Matter of the Borough of Rocky Hill for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan, Docket No. L-901-15
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 December 21, 2015.

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Rebecca P. Newman  
Borough Clerk