

**Borough of Rocky Hill  
Borough Council  
Minutes of the Regular Meeting  
February 1, 2016**

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**

Mr. 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 13, 2016. 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, Mr. John Hagemann-Present, Mr. Phil Kartsonis-present, Mr. Bob Uhrik-present.

Also present: Borough Engineer Tanner and Borough Attorney Albert Cruz.

**MAYOR'S COMMENTS**

Mayor Donahue commented on the blizzard that hit the region and was happy to report the Borough fared well with no injuries or fatalities, no flooding and no power outages. Mayor Donahue went on to thank all of the first responders and residents for their help during this enormous storm.

Mayor Donahue summarized some of the issues that the Borough will work to rectify for the next storm, for example the snow that was piled at the corners; which block site lines at the intersections. The Borough had contacted the County to come back and knock the piles down.

Mayor Donahue stated he received calls from residents stating the County had placed snow on private properties, but after doing some research it was determined this is allowable to ensure public safety. A private contractor plowing a driveway cannot do this though, so if a resident sees this taking place to please let the Borough know. Another issue that needs to be improved in the future is the parking of cars on the streets. There are many signs however some did not remove their cars and in the future cars will have to be towed if not moved.

Mayor Donahue mentioned the clearing of sidewalks. Mayor Donahue stated that it is in the Ordinance book that sidewalks must be shoveled for the safety of residents. Mayor Donahue stated the constables gave residents extra time before issuing tickets due to the size of the storm. Mayor Donahue empathized with property owners who have more sidewalks than others. Mayor Donahue thanked all the residents for their efforts to clear the snow on their properties as he knew what a monumental task this was.

**APPROVAL OF MINUTES**

**Regular Meeting Minutes – January 20, 2016**

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

For: Ashbaugh, Bremner, Hagemann, Kartsonis, Uhrik

Against: None

Abstain: Dawson

**Executive Session Minutes – January 20, 2016**

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

For: Ashbaugh, Bremner, Hagemann, Kartsonis, Uhrik

Against: None

Abstain: Dawson

## **PUBLIC COMMENT**

Lenore Danielson, Toth Lane- Ms. Danielson expressed her displeasure with having to shovel sidewalks. She stated she has been a resident for a very long time and it is an unfair burden on the taxpayers to shovel their sidewalks. Ms. Danielson stated the Borough should look into hiring someone to clear all sidewalks.

Mayor Donahue responded that would be a costly undertaking that would raise taxes significantly.

Ms. Danielson stated she would talk to residents and circulate a petition.

Marilyn Crane, 5 Princeton Ave- Ms. Crane stated she has lived in the Borough since 1972 and she has seen lots of snow storms but she has never seen anything this bad. Ms. Crane expressed her displeasure with how the County piled snow at the corners. It was 10' high at her corner. Ms. Crane asked 3 different people to shovel and no one helped. Ms. Crane also stated that expecting tax payers to shovel their sidewalk was too onerous.

Peggy Harris, 66 Crescent- Ms. Harris stated the Borough handled the plowing very poorly. Ms. Harris said the snow was piled too high and that the County should have plowed the snow into open fields. Ms. Harris criticized the Council for not being out during the storm. Ms. Harris also stated it was disrespectful to not return a call.

Peggy Merrit, 158 Washington Street- stated that the contractor who plows One53 was out during the storm piling snow all over. Ms. Merrit said it was very inconsiderate of the owners.

Connie Hallman, 26 Montgomery- agreed that maybe in the future some of the open areas in town could be used as a place to pile snow. Ms. Hallman stated she also heard from several elderly residents that they had received at least 5 phone calls from other residents offering them help to shovel.

Diana Dineen, Constable- stated the constables were out during the storm and over 20 warning letters were written. Ms. Dineen stated that no tickets were issued to anyone who had snow piled at corners.

## **STATE POLICE REPORT**

Councilman Ashbaugh asked if the Council could receive more information rather than just a summary from these reports in case there is a trend in crime. That would allow the Borough to educate residents to keep them safe. Council President Bremner suggested he speak with Cindy Hooven the Borough's court reporter.

## **ENGINEERS REPORT**

Engineer Tanner circulated an Engineers report and summarized the items on it. The Council thanked Bill for his service throughout the storm acknowledging all the effort that he puts forth to contact many agencies throughout these events.

## **CHIEF FINANCIAL OFFICER'S REPORT**

CFO Monzo summarized the current state of the temporary budget. CFO Monzo asked everyone involved in the snow storm to keep track of costs as this storm may become a FEMA eligible event. CFO Monzo stated that he closed out the books from 2015 and will have the AFS completed in the next two weeks.

## **APPROVAL OF VOUCHERS**

Bill List dated February 1, 2016 was presented for approval. Mr. Bremner moved to approve all vouchers. Motion seconded by Mr. Ashbaugh. Motion carried on roll call vote.  
For: Ashbaugh, Bremner, Dawson, Hagemann, Kartsonis, Uhrik

Against: None  
Abstain: None

### **SPECIAL BUSINESS**

#### **Presentation from the Rocky Hill First Aid Squad**

Jim Banks, Scott Gorman and Marj Yushak gave a power point presentation highlighting the financial status of the First Aid Squad. A cost analysis was distributed to the Council showing the state of BLS 2. The First Aid squad desires to replace this ambulance this year and summarized many ways to help offset the costs. The First Aid squad then summarized their membership which has grown over the last year.

#### **Presentation from the Rocky Hill Hook and Ladder Company**

Chief Todd Harris, Devon and Rich Kocsis gave a power point presentation summarizing the calls they have responded to, the state of membership and the financial status of the organization. Chief Harris stated they will have some large expenditures in the upcoming years as some of their apparatus will be past its useful life. Chief Harris stated they hope to obtain grants to offset many of the costs. Chief Harris played a video concluding the presentation showing many events the fire department has responded to.

#### **Presentation from the Rocky Hill OEM- TABLED**

#### **Presentation from the Rocky Hill Constables**

Constable Diana Dineen introduced fellow constable Marilyn Mencher and summarized what the constables do on a regular basis and stated she likes to refer to them as peace officers keeping the community safe. Ms. Dineen stated she is doing this to help her community. Ms. Dineen stated there was nothing she really saw for the future that they needed. She stated they just received new neon rain suits and flash lights.

Councilman Kartsonis expressed his gratitude for both Constable Dineen and Constable Mencher and stated they were both very responsive and professional to work with.

### **NEW BUSINESS**

#### **Resolution 2016-3~~4~~ Authorizing the Borough of Rocky Hill to Self Examine the Municipal Budget for 2016**

Councilman Ashbaugh inquired as to what it means to be able to self examine and if the Borough can forego this right. CFO Monzo responded explaining the process and stated there would be no benefit to forego this.

Mr. Dawson moved to approve the resolution as presented. Mr. Hagemann seconded the motion. Motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hagemann, Kartsonis, Uhrik  
Against: None  
Abstain: None

#### **Resolution 2016-3~~3~~ Authorizing a Budget Transfer**

Mr. Ashbaugh moved to approve the transfer of \$16,274.00. Mr. Kartsonis seconded the motion. Motion carried on roll call vote.

For: Ashbaugh, Bremner, Dawson, Hagemann, Kartsonis, Uhrik  
Against: None  
Abstain: None

**Ordinance 2016-02: An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank**

CFO Monzo summarized the Ordinance.

A motion was made by Mr. Dawson to introduce the Ordinance as presented. Mr. Kartsonis seconded the motion. Motion carried on roll call vote.

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

Against: None

Abstain: None

A public hearing date of February 17, 2016 was set.

**COMMUNICATIONS**

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

**FINAL PUBLIC COMMENT**

None

Resolution 2016-<sup>34</sup>: Resolution to Retire into Executive Session for the purpose of Contact Negotiations: Lease Negotiations with AT&T and Litigation in the matter of the Borough of Rocky Hill for a Judgement of Compliance of its Third Round Housing Element and Fair Share Plan, Docket No. SOM-L-901-15.

Motion was made by Mr. Bremner and seconded by Mr. Kartsonis to go into executive session.

Motion carried on roll call vote.

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

Against: None

Abstain: None

**ADJOURNMENT**

Motion was made by Mr. Bremner with a second by Mr. Kartsonis to adjourn the meeting at 10:42 PM.

Motion carried on voice vote.

Respectfully submitted:  
Rebecca Newman  
Borough Clerk

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

Check#	Vendor	Description	Payment	Check Total
8742	313 - MUNICIPAL SOFTWARE INC	PO 5693 Municipal software annual support 2	5,845.70	5,845.70
8743	173 - N J League of Municipalities	PO 5691 Budgeting for Elected Officials	150.00	150.00
8744	605 - POLICK CONSTRUCTION	PO 5694 Elevator Room	2,800.00	2,800.00
8745	247 - SOMERSET COUNTY TREASURER	PO 5692 Snow & Salting 1/13/16, 1/7-1/18/16	551.70	551.70
8746	293 - ROCKY HILL WATER & SEWER DEPARTMENT	PO 5690 Municipal Building water & sewer/fi	767.50	767.50
TOTAL				10,114.90

Total to be paid from Fund 01 CURRENT FUND 10,114.90  
10,114.90

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

Check#	Vendor	Description	Payment	Check Total
7096	316 - STATE OF NEW JERSEY PWT	PO 5688 Water Tax Q4 2015	50.35	50.35
7097	289 - VERIZON	PO 5689 Water Dept. phone Jan. 2016	32.01	32.01
TOTAL				82.36

Total to be paid from Fund 08 UTILITY OPERATING 82.36  
82.36

BOROUGH OF ROCKY HILL  
COUNTY OF SOMERSET

RESOLUTION 2016- 32

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Rocky Hill* has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Borough of Rocky Hill* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

ATTEST:



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Rebecca P. Newman, RMC  
Borough Clerk



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Jeff Donahue, Mayor

BOROUGH OF ROCKY HILL  
COUNTY OF SOMERSET

2016-33

RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT  
AND UTILITY FUNDS OF THE  
Borough OF Rocky Hill FOR THE BUDGET YEAR 2015

BE IT RESOLVED on this 1st day of February ,2016 by the Borough Council for the Borough of Rocky Hill, County of Somerset, that from the surplus balance in the 2015 budget appropriations transfers be made as follows:

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

<u>Title</u>	<u>Transfer From</u>	<u>Transfer To</u>
legal		2,200.00
planning bd		3,679.00
Garbage and Trash		3,480.00
engineer		5,715.00
prosecutor		1,000.00
public defender		200.00
electricity	1,674.00	
street lighting	1,400.00	
streets	3,500.00	
bldgs	6,000.00	
clerk	1,900.00	
general admin	1,800.00	
	<b>16,274.00</b>	<b>16,274.00</b>

ATTEST:

  
Rebecca Newman, RMC  
Borough Clerk

  
Jeff Donahue  
Mayor

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

BOROUGH OF ROCKY HILL

RESOLUTION 2016-34

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 February 1, 2016
2. The general nature of the subject matter to be discussed is as follows:  
**Contract Negotiations: Lease Negotiations with AT&T**
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 February 1, 2016.

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Rebecca P. Newman  
Borough Clerk