



Borough of Rocky Hill  
Borough Council Agenda  
October 1, 2018  
7:30 PM

1. CALL TO ORDER

2. SALUTE TO THE FLAG

3. NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT -

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 the Home News Tribune on July 18, 2018. 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.

4. ROLL CALL

5. MAYOR'S COMMENTS

6. APPROVAL OF MINUTES

A. Borough Council - Summer Meeting - Sep 17, 2018 7:30 PM

7. 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.)

8. STATE POLICE REPORT

9. ENGINEER'S REPORT

A. Engineers Report October 2018

10. APPROVAL OF VOUCHERS

A. Bill List Dated 10/1/2018

**11. SPECIAL BUSINESS**

A. RESOLUTION-2018-78 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for XXXX

**12. UNFINISHED BUSINESS**

**13. NEW BUSINESS**

14. COMMUNICATIONS

15. 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.)

16. EXECUTIVE SESSION

17. RESULTS OF EXECUTIVE SESSION (IF ANY)

1. RESOLUTION-2018-77 To Retire into Executive Session for the Purpose of Litigation: Shafer Vs. Rocky Hill Borough, Potential Litigation: Borough of Rocky Hill Vs. BPU and Potential Litigation: Borough of Rocky Hill Vs. 98 Washington St

18. ADJOURNMENT

19. MEETING TOPICS



Borough of Rocky Hill  
Borough Council  
Minutes of the Regular Meeting  
September 17, 2018

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

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

**ROLL CALL**

Attendee Name	Title	Status	Arrived
Irene Battaglia	Councilwoman	Present	
Amy Kirtland	Council Member	Present	
Billy Dawson	Council Member	Present	
John Hagemann	Council Member	Absent	
Mark Sibley	Councilman	Present	
Robert Uhrik	Councilman	Present	
Phil Kartsonis	Mayor	Present	

Also present: Deputy Clerk Christine Witt, CFO Joe Monzo, Attorney Albert Cruz

**MAYOR'S COMMENTS**

A. Planning Board Appointment- Frank Yao

Mayor Kartsonis appointed Frank Yao to the Planning Board as Alternate 2, and the Council consented to the appointment.

**RESULT: DISCUSSED**

**APPROVAL OF MINUTES**

A. Borough Council - Summer Meeting - Aug 20, 2018 7:30 PM

**RESULT: ACCEPTED [3 TO 0]**  
**MOVER:** Billy Dawson, Council Member  
**SECONDER:** Mark Sibley, Councilman  
**AYES:** Kirtland, Dawson, Uhrik  
**ABSTAIN:** Battaglia, Sibley  
**ABSENT:** Hagemann

**PUBLIC COMMENT**

Jon Lee, 10 Toth Lane, commented that there are four new parking spaces painted with white lines near the rescue squad but there is no spot painted yellow to be reserved for EMTs.

Minutes Acceptance: Minutes of Sep 17, 2018 7:30 PM (Approval of Minutes)

Connie Hallman, 26 Montgomery Avenue, further commented regarding the new parking spaces that sign says "No Parking." Mr. Dawson responded that the painting and sign will be corrected.

Richard Novak, 82 Princeton Avenue, commented that the Eden House, which was damaged by fire last spring, is an eye sore and that 99 Princeton Avenue is also unsightly. Mayor Kartsonis replied that the clean up of the Eden House has been delayed because the entity that owns the house does not own the property and that he would follow up regarding 99 Princeton Avenue.

### **STATE POLICE REPORT**

None.

### **ENGINEER'S REPORT**

Mr. Tanner delivered the September report. The Well installation is complete with two new pumps installed. Mr. Uhrik informed that Council that he has gotten word from the County Engineer that Route 518 will be re-paved in 2019. A manhole study subcommittee was formed: Mr. Tanner, Mr. Monzo, Ms. Battaglia, and Mr. Sibley will meet and make a recommendation to the Council in November.

- A. Sewer Study Update
- B. Water Tower Update
- C. Engineers Report September 2018

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

Mr. Monzo reported that reimbursement has been submitted to the County for the Historic Preservation grant.

### **DEPARTMENTAL REPORTS**

- A. Court Report July 2018
- B. Fire Department-Mid Year Update

Chief Harris updated the Council and requested support from the Borough to replace 12 sets of turn out gear for the fire department. The current gear was purchased in 2008 and must be replaced every ten years. 12 sets of coats and pants will cost \$32,076 and 12 sets of boots and helmets will cost \$6,082.

### **APPROVAL OF VOUCHERS**

- A. September 17 Bill List

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mark Sibley, Councilman
<b>SECONDER:</b>	Amy Kirtland, Council Member
<b>AYES:</b>	Battaglia, Kirtland, Dawson, Sibley, Uhrik
<b>ABSENT:</b>	Hagemann

## COMMITTEE REPORTS

Administration & Records -B. Dawson

A link has been added to the website for the "Recycle Coach" app.

Buildings & Grounds - J. Hagemann

1. Some minor painting was done for the school.
2. Entering RH on 518 from the canal, the sidewalk on the right was edged, and the weeds will be sprayed.
3. Tree branches on the Boro property were trimmed from the bottom up.
4. The leaning basketball pole was straightened, rust on the backboard and rim was removed, painted and has a new metal net installed.
5. 2 yards of dirt was put down in low areas where water was collecting, seeded and straw thrown down.
6. More stumps were cut and leveled to the ground.
7. 2 Cherry Laurel's shrubs planted on each side of the Boro front door.

Finance & Insurance - A. Kirtland

Nothing new to report.

Public Safety & Emergency Services - B. Dawson

See attached reports.

- A. Constable Report July 2018
- B. Constable Report- August 2018
- C. August Police Report

Streets & Roads - M. Sibley

Mr. Sibley is identifying pot holes, painting the fire hydrants and aligning signs.

Water, Sewer & Environmental Protection - R. Uhrik

All water tests normal.

- D. Water and Sewer Report- August 2018

Council Representative to Planning Board - I. Battaglia

See attached report.

E. Planning Board Update September 2018

Council Liaison to Recreation Committee- A. Kirtland

The annual Kickball/Dodgeball Classic was well attended. Movie night has been tentatively rescheduled for October 26th or 27th.

Council Representative to Board of Health - B. Uhrik

The massage ordinance has been tabled. The flu clinic will be held in Borough Hall on October 23rd from 1-3pm and is free for Rocky Hill residents and all first responders.

Zoning Official's Report - M. Blasch

Mayor Kartsonis delivered the report. The deadline for 98 Washington Street to remove a barn from the property has passed and next steps are being pursued.

Grants Committee - A. Kirtland

Ms. Kirtland located the paperwork related to the Panicaro Park grant, and the Borough can now go before the County Freeholders to ask for a reinstatement of the funds.

**SPECIAL BUSINESS**

- A. ORDINANCE-2018-10 An Ordinance of the Borough of Rocky Hill, County of Somerset, State of New Jersey, Amending Chapter 80, Entitled "Development Regulations" of the Code of the Borough of Rocky Hill, to Amend Section 80-91F in Order to Add Parking Standards to the B Business Zoning District.

The ordinance was introduced. A public hearing will be held on October 15, 2018.

<b>RESULT:</b>	<b>FIRST READING [UNANIMOUS]</b>	<b>Next: 10/15/2018 7:30 PM</b>
<b>MOVER:</b>	Mark Sibley, Councilman	
<b>SECONDER:</b>	Billy Dawson, Council Member	
<b>AYES:</b>	Battaglia, Kirtland, Dawson, Sibley, Uhrik	
<b>ABSENT:</b>	Hagemann	

- B. RESOLUTION-2018-73 Authorizing an Increase in the Planning Board Secretary Salary to \$3,660.00 Annually

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Amy Kirtland, Council Member
<b>SECONDER:</b>	Mark Sibley, Councilman
<b>AYES:</b>	Battaglia, Kirtland, Dawson, Sibley, Uhrik
<b>ABSENT:</b>	Hagemann

- C. RESOLUTION-2018-74 RESOLUTION-2018-74 : LEMORE PIPE REPAIR

Minutes Acceptance: Minutes of Sep 17, 2018 7:30 PM (Approval of Minutes)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Billy Dawson, Council Member  
**SECONDER:** Amy Kirtland, Council Member  
**AYES:** Battaglia, Kirtland, Dawson, Sibley, Uhrik  
**ABSENT:** Hagemann

D. RESOLUTION-2018-75 Authorizing an Award of Contract in the Amount of \$16,500.00 to JML Landscaping for Miscellaneous Projects

**RESULT:** ADOPTED [3 TO 2]  
**MOVER:** Robert Uhrik, Councilman  
**SECONDER:** Amy Kirtland, Council Member  
**AYES:** Battaglia, Kirtland, Uhrik  
**NAYS:** Dawson, Sibley  
**ABSENT:** Hagemann

**UNFINISHED BUSINESS**

A. RESOLUTION-2018-76 EMERGENCY RESOLUTION REQUIRING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES – NJS 40A:4-49 (Over 3% Limitation)

This resolution is for expenditures related to affordable housing litigation.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Billy Dawson, Council Member  
**SECONDER:** Mark Sibley, Councilman  
**AYES:** Battaglia, Kirtland, Dawson, Sibley, Uhrik  
**ABSENT:** Hagemann

**NEW BUSINESS**

None.

**COMMUNICATIONS**

**PUBLIC COMMENT**

Jon Lee, 10 Toth Lane, asked why Rocky Hill's portion of the sewer plant charges are 16.6% when the Borough's population is much lower than Montgomery Township's population. Mr. Tanner answered that Montgomery Township has more than one sewage treatment plant.

Tom Bremner, 17 Crescent Avenue, requested permission for the rescue squad to have signs for the November 17th fundraising breakfast. Mr. Bremner aslo requested assistance with public safety at the Community Group tree lighting event on December 2nd.

**ADJOURNMENT**

Meeting adjourned at 9:50pm.

Minutes Acceptance: Minutes of Sep 17, 2018 7:30 PM (Approval of Minutes)



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Neil I. Van Cleef, P.E., L.S. & P.P.  
Robert J. Clerico, P.E. & P.P.  
Samuel D. Costanzo, P.E. & P.P.

**TO:** Mayor and Council  
Borough of Rocky Hill

**FROM:** William C. Tanner, P.E.  
Borough Engineer

**DATE:** September 30, 2018

**SUBJECT: ENGINEER’S REPORT OCTOBER**

1. **Generator Grant –**

I am working on getting air pollution permit and finalizing paperwork for submission to FEMA for payment. Final payment to Contractor has not been made pending receipt of final paperwork.

2. **New Well Installation.**

Up and operating.

3. **Princeton Avenue Phase III**

The project is complete and the contractor’s 1<sup>st</sup> voucher been paid. Still require final paperwork from contractor and final payment to allow submission of paperwork and Maintenance Bond will take place over the next weeks. State reimbursement cannot be filed until all bills are paid and proof (checks that have been paid) are in the Borough’s possession.

4. **Lemore Pipe Repair**

I will be getting this project underway. Rain has been an issue.

5. **Miscellaneous Road Repairs**

The work started last week and has been suspended due to weather.

6. **New Water Connection Requests**

I hope to get an appointment on this in the next week or so.

7. **Damage Claim – Crescent Avenue/ Princeton Avenue**

PSEG has agreed to a settlement. (see email attached)

8. **BPU Fine**

See attached memo from the meeting with BPU

Please Reply To:

**CENTRAL NJ OFFICE** • 32 Brower Lane, Bldg. B, PO Box 5877 • Hillsborough NJ 08844 • 908.359.8291  
Fax: 908.359.1580

With Other Offices In:

Hamilton NJ • Lebanon NJ • Phillipsburg NJ • Freehold NJ • Doylestown PA • Bethlehem PA • Wyomissing PA • Newark DE

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September 30, 2018  
Engineer's Report  
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9. **2018 Local Aid Projects**

10. **2019 Local Aid Projects**

For discussion and decision at Monday night's meeting for submission before end of day on Friday.

12. **Sewer Study**

A meeting will be held this Thursday to discuss options for recommendation to the entire Governing Body.

13. **Tier B Report**

We need to keep this on the front burner that we can complete the required number of tasks to make our submission complete at the end of this year.

List of Bills - (All Funds)

10.A.a

Vendor	Description	Payment	Check	Total
<b>CURRENT FUND</b>				
39 - CENTRAL JERSEY SECURITY	PO 6871 Q2 2018 Alarm Monitoring	93.00		.00
497 - CHRISTINE WITT	PO 6860 PB: Master Plan Amendment	30.48		.48
663 - CIFELLI ELECTRICAL	PO 6877 Exterion Lighting Fixture at Paking	1,816.67	1	.67
547 - COMCAST	PO 6870 Phone and Internet	268.61		.61
71 - DIFRANCESCO BATEMAN PC	PO 6879 Legal Services August 2018	3,638.00	3	.00
83 - G & T Landscaping Inc	PO 6883 Lawn mowing	2,345.00	2	.00
86 - GENERAL CODE PUBLISHERS	PO 6882 eCode360 Annual Maintenance	1,195.00	1	.00
662 - HARD ROCK HOTEL & CASINO	PO 6864 Convention Hotel	457.00		.00
639 - MARK SIBLEY	PO 6880 Paint	49.80		.80
181 - NEW JERSEY PLANNING OFFICIALS	PO 6846 Mandatory Planning Board Training:	85.00		.00
173 - N J League of Municipalities	PO 6869 NJLM Conference Registration	110.00		.00
328 - PRINCETON TENNIS PROGRAM	PO 6872 Summer Tennis Program	1,125.00	1	.00
210 - PSE&G	PO 6862 Electric: various accounts	741.94		.94
457 - REBECCA NEWMAN	PO 6865 Postage	31.98		.98
430 - SHERATON ATLANTIC CITY	PO 6863 Hotel for League Conference 2018	284.00		.00
248 - SOMERSET CTY GOV. OFFS. ASSOC.	PO 6866 SCGOA Meeting September 2108: Uhrik	35.00		.00
455 - TAMARA LEE PP	PO 6881 Planning Services September 2018	2,587.50	2	.50
280 - U. S. POSTAL SERVICE	PO 6876 Postage	49.00		.00
286 - VAN CLEEF ENGINEERING	PO 6874 Engineering Services	8,206.82	8	.82
656 - VENTURA MIESOWITZ KEOUGH & WARNER	PO 6875 Planning Board Legal Services June,	2,891.00	2	.00
<b>UTILITY OPERATING</b>				
380 - HANS OLSEN	PO 6867 Water Dept. maintenance	80.00		.00
210 - PSE&G	PO 6861 Water Dept. electric	1,538.12	1	.12
457 - REBECCA NEWMAN	PO 6865 Postage	150.00		.00
316 - STATE OF NEW JERSEY PWT	PO 6873 State water tax Q3 2018	41.74		.74
311 - TIM LESKO	PO 6868 Water Department Maintenance	275.00		.00
280 - U. S. POSTAL SERVICE	PO 6876 Postage	175.00		.00
286 - VAN CLEEF ENGINEERING	PO 6874 Engineering Services	2,261.00	2	.00
289 - VERIZON	PO 6878 Water Dept. phone	34.65		.65
<b>UTILITY CAPITAL</b>				
651 - NEW JERSEY AMERICAN WATER	PO 6844 Emergency Interconnect in August	10,864.49	10	.49
<b>TRUST OTHER</b>				
455 - TAMARA LEE PP	PO 6881 Planning Services September 2018	230.00		.00
656 - VENTURA MIESOWITZ KEOUGH & WARNER	PO 6875 Planning Board Legal Services June,	445.00		.00
TOTAL			42	.80

Attachment: 2018-10-01 Bill List (DOC-2018-110 : Bill List Dated 10/1/2018)

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	IT
01-101-01-001	CASH			0.00	26, 80
01-201-20-100-020	GENERAL ADMINISTRATION - OTHER EXPENSE	1,226.98			
01-201-20-110-020	MAYOR AND COUNCIL - OTHER EXPENSE	372.00			
01-201-20-120-020	MUNICIPAL CLERK - OTHER EXPENSE	563.00			
01-201-20-155-020	LEGAL SERVICES - OTHER EXPENSE	3,638.00			
01-201-20-165-020	ENGINEERING SERVICES - OTHER EXPENSE	8,007.32			
01-201-21-180-020	PLANNING BOARD - OTHER EXPENSE	3,915.98			
01-201-21-190-020	COAH - OTHER EXPENSE	1,877.50			
01-201-26-290-020	STREETS AND ROAD- OTHER EXPENSES	49.80			

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ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	
01-201-26-310-020	BUILDINGS AND GROUNDS - OTHER EXPENSE	4,254.67			
01-201-28-370-020	RECREATION SVS AND PROGRAMS - OTHER EXPE	1,125.00			
01-201-31-430-020	ELECTRICITY - OTHER EXPENSE	47.76			
01-201-31-435-020	STREET LIGHTING - OTHER EXPENSE	694.18			
01-201-31-440-020	TELEPHONE - OTHER EXPENSE	268.61			
<b>TOTALS FOR</b>	<b>CURRENT FUND</b>	<b>26,040.80</b>	<b>0.00</b>	<b>0.00</b>	<b>26,040.80</b>
-----					
08-101-01-001	CASH			0.00	4,555.51
08-201-26-290-020	Other Expense	4,555.51			
<b>TOTALS FOR</b>	<b>UTILITY OPERATING</b>	<b>4,555.51</b>	<b>0.00</b>	<b>0.00</b>	<b>4,555.51</b>
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09-216-52-300	Improvement Authorizations-Unfunded			10,864.49	
09-260-05-100	Water & Sewer Operating-Interfund			0.00	10,864.49
<b>TOTALS FOR</b>	<b>UTILITY CAPITAL</b>	<b>0.00</b>	<b>0.00</b>	<b>10,864.49</b>	<b>10,864.49</b>
-----					
19-260-05	INTERFUND - DUE CURRENT			0.00	675.00
19-290-56-900-9	RESERVE FOR DEVELOPERS ESCROW			675.00	
<b>TOTALS FOR</b>	<b>TRUST OTHER</b>	<b>0.00</b>	<b>0.00</b>	<b>675.00</b>	<b>675.00</b>
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Total to be paid from Fund 01 CURRENT FUND 26,040.80  
 Total to be paid from Fund 08 UTILITY OPERATING 4,555.51  
 Total to be paid from Fund 09 UTILITY CAPITAL 10,864.49  
 Total to be paid from Fund 19 TRUST OTHER 675.00  
 -----  
 42,135.80

Attachment: 2018-10-01 Bill List (DOC-2018-110 : Bill List Dated 10/1/2018)



**BOROUGH OF ROCKY HILL  
SOMERSET COUNTY**

**RESOLUTION-2018-78**

**Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for XXXX**

NOW THEREFORE BE IT RESOLVED that the Council of the Borough of Rocky Hill formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Council and Clerk are hereby authorized to submit an electronic grant application identified as XXXXXX to the New Jersey Department of Transportation on behalf of the Borough of Rocky Hill.

BE IT FURTHER RESOLVED that the Mayor and Council and clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Rocky Hill and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ATTEST:

By:

Rebecca P. Newman, RMC  
Borough Clerk

By:

Phil Kartsonis, 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 October 1, 2018.

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Rebecca P. Newman, RMC  
Borough Clerk



**BOROUGH OF ROCKY HILL  
SOMERSET COUNTY**

**RESOLUTION-2018-77**

**To Retire into Executive Session for the Purpose of Litigation: Shafer Vs. Rocky Hill  
Borough, Potential Litigation: Borough of Rocky Hill Vs. BPU and Potential Litigation:  
Borough of Rocky Hill Vs. 98 Washington St**

, 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 1, 2018.
2. The general nature of the subject matter to be discussed is as follows:
  - Litigation in the Matter of Shafer vs. The Borough of Rocky Hill**
  - Potential Litigation: Borough of Rocky Hill Vs. BPU**
  - Potential Litigation: Borough of Rocky Hill Vs. 98 Washington St**
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

ATTEST:

By:

Rebecca P. Newman, RMC  
Borough Clerk

By:

Phil Kartsonis, 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 October 1, 2018.

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Rebecca P. Newman, RMC  
Borough Clerk