



Borough of Rocky Hill
Borough Council
Minutes of the Regular Meeting
November 6, 2017

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
Robert Ashbaugh	Councilman	Remote	
Billy Dawson	Councilman	Present	
John Hagemann	Councilman	Present	
Anthony Sciaraffo	Councilman	Present	
Mark Sibley	Councilman	Present	
Robert Uhrik	Councilman	Absent	
Phil Kartsonis	Mayor	Present	

MAYOR'S COMMENTS

A. 1447 : Thanking Anthony Sciaraffo for His Services

Mayor Kartsonis recognized Anthony Sciaraffo for his service as a council member.

APPROVAL OF MINUTES

A. Borough Council - Second Meeting of Month - Oct 16, 2017 7:30 PM

RESULT:	ACCEPTED [4 TO 0]
MOVER:	Billy Dawson, Councilman
SECONDER:	Mark Sibley, Councilman
AYES:	Ashbaugh, Dawson, Sciaraffo, Sibley
ABSTAIN:	Hagemann
ABSENT:	Uhrik

Executive Session Meeting Minutes of Oct 16, 2017

1. Motion to Accept Executive Minutes

RESULT:	ADOPTED [4 TO 0]
MOVER:	Mark Sibley, Councilman
SECONDER:	Anthony Sciaraffo, Councilman
AYES:	Ashbaugh, Dawson, Sciaraffo, Sibley
ABSTAIN:	Hagemann
ABSENT:	Uhrik

PUBLIC COMMENT

Kerry Kirk Pflugh of the New Jersey Department of Environmental Protection introduced herself to the Mayor and Council. Ms. Kirk Pflugh is the NJDEP liaison to the state's municipalities. Mr. Dawson informed Ms. Kirk Pflugh of the illegal clamming on the Millstone River.

Ken Rizzi, 14 Crescent Avenue, asked if there is an update on the proposed Boy Scout project. Mr. Sibley proposed a meeting with Ethan Rizzi and Engineer Tanner to agree on a design and calculate costs.

Janice Pesco, 10 Grove Street, asked about the Trinity Church speaker application to the Planning Board. Ms. Pesco was informed that the application was approved at the October Planning Board meeting.

Raymond Whitlock, 94 Crescent Avenue, suggested that the Borough apply for a DEP grant to clean up Borough park lands that abuts the Millstone River.

STATE POLICE REPORT

- A. October 2017 State Police Report

APPROVAL OF VOUCHERS TO BE PAID

- A. Bill List Dated 11/16/17

All vouchers except #6477.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Billy Dawson, Councilman
SECONDER:	Robert Ashbaugh, Councilman
AYES:	Ashbaugh, Dawson, Hagemann, Sciaraffo, Sibley
ABSENT:	Uhrik

- B. Motion to Approve Voucher 6477

RESULT:	ADOPTED [4 TO 0]
MOVER:	Mark Sibley, Councilman
SECONDER:	Robert Ashbaugh, Councilman
AYES:	Ashbaugh, Dawson, Sciaraffo, Sibley
ABSTAIN:	Hagemann
ABSENT:	Uhrik

SPECIAL BUSINESS

The Borough will commemorate Veteran's Day with a wreath ceremony on November 11th at 11 am.

UNFINISHED BUSINESS

A. Interviewees for Municipal Court Clerk

Mr. Ashbaugh volunteered to participate in the interviewing of court clerk candidates on November 29, 2017 at 4 pm.

B. Discussion Regarding Hold Harmless Agreement for Princeton Business Park

No discussion took place.

NEW BUSINESS

Mr. Dawson suggested options for the proposed electronic sign. Mr. Dawson questioned whether the Borough can lower the speed limit on Princeton Avenue, and Mr. Cruz answered that a municipality can only set speed limits on internal roads.

COMMUNICATIONS

FINAL PUBLIC COMMENT

None.

EXECUTIVE SESSION

1. RESOLUTION-2017-65 To Retire into Executive Session for the Purpose of 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 SOM-L-901-15

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Billy Dawson, Councilman
SECONDER:	Mark Sibley, Councilman
AYES:	Ashbaugh, Dawson, Hagemann, Sciaraffo, Sibley
ABSENT:	Uhrik

RESULTS OF EXECUTIVE SESSION (IF ANY)

1. RESOLUTION-2017-66 Resolution Amending the Professional Services Contract of Professional Planner Tamara Lee to Perform Services Related to the Affordable Housing Declaratory Judgment Action and Appointing an Affordable Housing Subcommittee

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Billy Dawson, Councilman
SECONDER:	Mark Sibley, Councilman
AYES:	Ashbaugh, Dawson, Hagemann, Sciaraffo, Sibley
ABSENT:	Uhrik

ADJOURNMENT

Meeting adjourned at 9:29 pm.



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NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

ROLL CALL

Attendee Name	Title	Status	Arrived
Robert Ashbaugh	Councilman	Present	
Billy Dawson	Councilman	Present	
John Hagemann	Councilman	Absent	
Anthony Sciaraffo	Councilman	Late	7:32 PM
Mark Sibley	Councilman	Present	
Robert Uhrik	Councilman	Present	
Phil Kartsonis	Mayor	Present	

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

MAYOR'S COMMENTS

Mayor Kartsonis asked for a moment of silence in honor of resident Dan Kluchinski.

APPROVAL OF MINUTES

- A. Borough Council - First Meeting of Month - Oct 2, 2017 7:30 PM

RESULT:	ACCEPTED [4 TO 0]
MOVER:	Billy Dawson, Councilman
SECONDER:	Robert Ashbaugh, Councilman
AYES:	Ashbaugh, Dawson, Sciaraffo, Uhrik
ABSTAIN:	Sibley
ABSENT:	Hagemann

PUBLIC COMMENT

None.

APPROVAL OF VOUCHERS

- A. Bill List Dated 10/16/17

Minutes Acceptance: Minutes of Oct 16, 2017 7:30 PM (Approval of Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mark Sibley, Councilman
SECONDER:	Robert Ashbaugh, Councilman
AYES:	Ashbaugh, Dawson, Sciaraffo, Sibley, Uhrik
ABSENT:	Hagemann

DEPARTMENTAL REPORTS

CFO

1. CFO Report through 10/11/2017

Tax Collector

1. Tax Collectors Report September 2017

Court Administrator

1. Municipal Court Report September 2017

Water Department

Engineer

1. Engineers Report October 2017

COMMITTEE REPORTS

Administration & Records- B. Dawson

Looking into alternate hosting sites since current provider is increasing fees.

Buildings & Grounds- J. Hagemann

Painting and power washing complete. Looking into better lighting for parking lot.

Finance & Insurance- R. Uhrik

Looking at budgets.

Public Safety & Emergency Services- B. Dawson

The Franklin police reported 35 traffic stops from September 18-October 1, including 21 for speeding and 11 for other traffic violations. Data from the radar signs shows the average speeding violation on Crescent Avenue is 39 mph and on Montgomery Avenue is 37 mph. A clamming violation in the Millstone River was reported on October 3rd. These violations should be reported to the NJ Division of Fish and Wildlife. If residents see such violations taking place, they should take a picture of the violators license plate.

Street & Roads- M. Sibley

The signage realignment project is ongoing. Street sweeping needs to be scheduled.

Water, Sewer & Environmental Protection- R. Ashbaugh

Nothing to report.

Council Representatiiveto Planning Board- R. Ashbaugh

The Planning Board meets this week to hear applications from Trinity Church for a speaker on the roof of the church and Wells Tree Service for a zoning interpretation.

Council Liason to Recreation Committee- A. Sciaraffo

Nothing to report.

Council Representative to Board of Health- B. Uhrik

Flu Clinic will take place on October 24th.

Zoning Official's Report- M. Blasch

No report.

Grants Committee- P. Kartsonis

Nothing to report.

SPECIAL BUSINESS

- A. RESOLUTION-2017-62 Resolution Requesting Change in Title, Text, or Amount of Appropriation Pursuant to NJSA 40A:4-85

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mark Sibley, Councilman
SECONDER:	Billy Dawson, Councilman
AYES:	Ashbaugh, Dawson, Sciaraffo, Sibley, Uhrik
ABSENT:	Hagemann

- B. ORDINANCE-2017-04 An Ordinance Amending Part Ii Entitled "General Legislation" of the Revised General Ordinances of the Borough of Rocky Hill by the Addition and Creation of Chapter 200 Entitled "Massage Establishment Licensing"

Mr. Sibley moved to disapprove the ordinance, and Mr. Dawson seconded the motion. All 'yes' votes are to not approve the ordinance.

***Public Hearing took place before the vote.**

Publid Comments included:

Dante Carnavale, owner of 130 Washington Street, asked that his tenant, Spa Amadora, be exempted from the additional fees required by the proposed ordinance.

Minutes Acceptance: Minutes of Oct 16, 2017 7:30 PM (Approval of Minutes)

Stephanie Carey, Montgomery Township Health Officer, explained that the proposed ordinance is meant to promote health and safety and to uphold the good name of compliant establishments.

Ken Rizzi, Rocky Hill Board of Health president, said that the proposed ordinance is a good practice and promotes hygienic practices.

Chrissy Galatro, owner of Spa Amadora, stated the salon is already inspected by the state board of cosmetology and all practitioners of the spa pay for licenses.

Annmarie Rizicki, employee of Spa Amadora, stated the proposed ordinance duplicates what is already enforced by the state board of cosmetology.

Mr. Rizzi asked if the board of cosmetology ensures the hygienic day-to-day running of the establishment. Ms. Galatro replied that there are yearly surprise visits.

Henry Bristol, 104 Washington Street, asked if the proposed ordinance regulates hours of operation, signage and lighting. Mr. Cruz responded that the ordinance does regulate hours of operation, but signage and lighting fall under the zoning ordinances.

Council Discussion:

Mr. Ashbaugh commented that the proposed ordinance echoes the inspection process that already exists.

Mr. Uhrik asked why Council members are suddenly expressing reservations about the ordinance when the Board of Health has been discussing this since the beginning of the year. The proposed ordinance gives local oversight. These types of businesses can become a problem, so why wait until they a problem happens?

Mr. Sibley stated that the proposed ordinance is not necessary.

Mr. Dawson asked which surrounding towns have similar ordinances and noted that while Hillsborough and South Brunswick do have them, Montgomery and Princeton do not. He stated that the proposed ordinance is a redundancy of what the state is already doing.

Mr. Uhrik stated that in South Brunswick at least three massage establishments have been shut down because of improper business.

Mr. Ashbaugh stated that licensing is the main enforcement mechanism of the proposed ordinance and that it would be prudent to wait before passing this ordinance.

Mayor Kartsonis stated that in his opinion the Council should take the advice of the Board of Health professionals, the proposed ordinance is reasonable and gives the Borough an opportunity to take ownership of enforcement.

RESULT: DEFEATED [4 TO 1]
MOVER: Mark Sibley, Councilman
SECONDER: Billy Dawson, Councilman
AYES: Ashbaugh, Dawson, Sciaraffo, Sibley
NAYS: Uhrik
ABSENT: Hagemann

UNFINISHED BUSINESS

A. ORDINANCE-2017-03 An Ordinance Amending Chapter 189 Section 29 of the Code of the Borough of Rocky Hill Titled Parking

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mark Sibley, Councilman
SECONDER: Billy Dawson, Councilman
AYES: Ashbaugh, Dawson, Sciaraffo, Sibley, Uhrik
ABSENT: Hagemann

B. RESOLUTION-2017-63 Acceptance of Donation of a Shed from Montgomery Flag Football to be Placed at Van Horne Park

RESULT: ADOPTED [UNANIMOUS]
MOVER: Anthony Sciaraffo, Councilman
SECONDER: Mark Sibley, Councilman
AYES: Ashbaugh, Dawson, Sciaraffo, Sibley, Uhrik
ABSENT: Hagemann

C. Message Board Discussion (Cont'd)

Waiting for pricing on historic housing for proposed message board.

D. Municipal Court Discussion/ Update

Mayor Kartsonis updated the Council on his discussion with Judge Perkins about the future of the Rocky Hill Court and the need to hire a new court administrator in the new year. Judge Perkins has one year left in his term and is willing to work with the Borough in determining the next steps. Changes in the municipal court requires approval of the Superior Court assignment judge.

NEW BUSINESS

COMMUNICATIONS

PUBLIC COMMENT

Ken Rizzi, 14 Crescent Avenue, raised the subject of the Eagle Scout project proposed by his son to build a boardwalk from Crescent Avenue to Van Horne Park. The concern is who will pay for the material, the Boy Scouts or the Borough. An cost estimate is needed before next steps are taken.

Minutes Acceptance: Minutes of Oct 16, 2017 7:30 PM (Approval of Minutes)

EXECUTIVE SESSION

1. RESOLUTION-2017-64 To Retire into Executive Session for the Purpose of 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. SOM-L-901-15

Council retired into Executive Session at 9:20 PM and ended at 9:52 PM.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mark Sibley, Councilman
SECONDER:	Billy Dawson, Councilman
AYES:	Ashbaugh, Dawson, Sciaraffo, Sibley, Uhrick
ABSENT:	Hagemann

RESULT OF EXECUTIVE SESSION (IF ANY)

None.

ADJOURNMENT

The meeting adjourned at 9:52 PM.

Minutes Acceptance: Minutes of Oct 16, 2017 7:30 PM (Approval of Minutes)

New Jersey State Police - Kingwood Station
Rocky Hill Borough (clerk@rockyhill-nj.gov)
Monthly Activity Report - Month of October 2017
Municipal Code: 1817 FAX (609) 924-2274

Type of Activity: Calls for Service

Patron Dispute

1 Washington St.

Type of Activity: Investigations and/or Investigations Resulting in Arrests

Disorderly Conduct/Burglary

1 – Grove St.

Type of Activity: Accidents (0)

Nothing To Report

Killed	Injured	Ejected

Type of Activity: Driving Under the Influence (0)

Nothing To Report

Report submitted by:

Station Commander J. Heitzman 4701

Date:

10/31/2017

Attachment: Rocky Hill OCT 2017 (DOC-2017-108 : October State Police Report)

List of Bills - (All Funds)

9.A.a

Vendor	Description	Payment	Check	Total
CURRENT FUND				
606 - BANISCH ASSOCIATES	PO 6476 COAH Special Master, August 2017	125.00		.00
497 - CHRISTINE WITT	PO 6490 DOTGOV domain renewal	400.00		.00
60 - COURIER NEWS	PO 6481 Legal Advertising: Municipal Ordina	32.98		.98
83 - G & T Landscaping Inc	PO 6486 Lawn mowing	2,165.00	2	.00
115 - JML LANDSCAPING INC.	PO 6470 Brush & Limb clean up	1,646.50	1	.50
601 - John Hagemann	PO 6477 Buildings and Grounds Maintenance	225.92		.92
629 - K.E. SEIFERT	PO 6471 Boliler Shut Off Switch and HVAC Co	154.00		.00
122 - KENCOR INC	PO 6489 Bi-Monthly Elevator service	95.00		.00
148 - MARY JACOBS LIBRARY	PO 6480 Annual Contribution to Library, MJL	5,000.00	5	.00
555 - Mulchsupply.com	PO 6464 Playground mulch	3,789.15	3	.15
173 - N J League of Municipalities	PO 6466 Professional Development Seminar	65.00		.00
594 - PREMIER DISPOSAL	PO 6485 Garbage service and Spring Bulk Tra	5,611.08	5	.08
210 - PSE&G	PO 6487 Street Lights Electric	735.59		.59
354 - RICOH USA, INC.	PO 6488 Copy machine rental	109.73		.73
523 - Somerset County Library System	PO 6479 Annual Contribution to Library, Cou	10,000.00	10	.00
455 - TAMARA LEE PP	PO 6472 COAH services 2017 & 38 Washington	948.75		.75
542 - TROOP 46	PO 6447 Two 18 inch wreaths	40.00		.00
445 - United States Postal Service	PO 6475 Court PO Box	56.00		.00
574 - WEST TRENTON/MONTGOMERY TRUE VALUE	PO 6483 Hardware	4.48		.48
UTILITY OPERATING				
14 - AT&T	PO 6469 Water Dept. long distance	3.14		.14
450 - ONE CALL CONCEPTS INC	PO 6482 October One Calls	3.75		.75
322 - VECTOR SECURITY	PO 6468 Water Dept. monitoring 11/1/17 to 1	648.72		.72
289 - VERIZON	PO 6478 Water Dept. phone	33.70		.70
TRUST OTHER				
455 - TAMARA LEE PP	PO 6472 COAH services 2017 & 38 Washington	632.50		.50
530 - WOOLSON SUTPHEN MAZIARZ	PO 6484 Planning Board Legal Services	532.00		.00
TOTAL			33	.99

Attachment: Nov 6 Bill List (DOC-2017-105 : Bill List Dated 11/16/17)

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	IT
01-101-01-001	CASH			0.00	31, 18
01-201-20-100-020	GENERAL ADMINISTRATION - OTHER EXPENSE	432.98			
01-201-20-120-020	MUNICIPAL CLERK - OTHER EXPENSE	65.00			
01-201-21-190-020	COAH - OTHER EXPENSE	1,073.75			
01-201-26-290-020	STREETS AND ROAD- OTHER EXPENSES	735.59			
01-201-26-297-020	GARBAGE AND TRASH-OTHER EXPENSE	5,611.08			
01-201-26-306-020	RECYCLING - OTHER EXPENSE	1,646.50			
01-201-26-310-020	BUILDINGS AND GROUNDS - OTHER EXPENSE	6,583.28			
01-201-43-490-020	MUNICIPAL COURT - OTHER EXPENSE	56.00			
01-201-43-492-020	FREE COUNTY LIBRARY-OTHER EXPENSES	15,000.00			
TOTALS FOR	CURRENT FUND	31,204.18	0.00	0.00	31, 18

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	
08-101-01-001	CASH			0.00	689.31
08-201-26-290-020	Other Expense	689.31			

TOTALS FOR	UTILITY OPERATING	689.31	0.00	0.00	689.31
=====					
19-260-05	INTERFUND - DUE CURRENT			0.00	1,164.50
19-290-56-900-9	RESERVE FOR DEVELOPERS ESCROW			1,164.50	

TOTALS FOR	TRUST OTHER	0.00	0.00	1,164.50	1,164.50
=====					

Total to be paid from Fund 01 CURRENT FUND 31,204.18
 Total to be paid from Fund 08 UTILITY OPERATING 689.31
 Total to be paid from Fund 19 TRUST OTHER 1,164.50
 =====
 33,057.99

Attachment: Nov 6 Bill List (DOC-2017-105 : Bill List Dated 11/16/17)



**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

RESOLUTION-2017-65

To Retire into Executive Session for the Purpose of 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 SOM-L-901-15

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 November 6, 2017.
2. The general nature of the subject matter to be discussed is as follows:

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. SOM-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

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 November 6, 2017.

Rebecca P. Newman, RMC
Borough Clerk



**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

RESOLUTION-2017-66

Resolution Amending the Professional Services Contract of Professional Planner Tamara Lee to Perform Services Related to the Affordable Housing Declaratory Judgment Action and Appointing an Affordable Housing Subcommittee

WHEREAS, on January 4, 2017, the Borough of Rocky Hill Mayor and Council appointed Tamara Lee, P.P., as the Borough Planner under a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 in an amount not to exceed \$17,500.00; and

WHEREAS, the Borough requires additional services by the Borough Planner related to the affordable housing declaratory judgment action as described in a proposal, dated _____, 2017 ("Proposal"); and

WHEREAS, the Borough desires to amend the professional services contract with the Borough Planner in an amount not to exceed an additional \$_____ to perform the services described in the Proposal; and

WHEREAS, the Borough Planner recommended the creation of an Affordable Housing Subcommittee consisting of a total of _____ members; _____ from the Mayor and Council, to be appointed by the Mayor; and _____ members from the Planning Board, to be appointed by the Planning Board Chair; to guide the Borough Planner in performing the services described in the Proposal; and

WHEREAS, the Affordable Housing Subcommittee will sun-set upon the termination of the affordable housing declaratory

judgment action; and

WHEREAS, there are sufficient funds in the 2017 Borough budget line item for affordable housing for this expense.

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 professional services contract of Tamara Lee, P.P., is hereby amended consistent with the Proposal in an amount not to exceed \$_____.
2. An Affordable Housing Subcommittee is hereby created consistent with the recitals in this Resolution to sun-set upon the termination of the affordable housing declaratory judgment action.
3. This Resolution shall take effect immediately.

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 November 6, 2017.

Rebecca P. Newman, RMC
Borough Clerk