

**BOROUGH OF ROCKAWAY
MAYOR & COUNCIL
REORGANIZATION MEETING
JANUARY 3, 2013
7:30 p.m.**

The Reorganization Meeting of the Mayor and Council of the Borough of Rockaway, in the County of Morris, New Jersey, was held in the Community Center, 21-25 Union Street, Rockaway, N.J. with Mayor Russell Greuter presiding. Mayor Greuter called the meeting to order at 7:30 p.m.

Everyone present participated in the salute to the flag. Mayor Greuter read the following statement: In accordance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Laws, 1975, be advised that notice of this meeting was made by posting on the Bulletin Board, Borough Hall, and sending to the officially designated newspapers, a notice indicating that a meeting would take place at the Community Center, 21-25 Union Street, Rockaway at 7:30 p.m. on this date.

Mayor Greuter announced the location of the fire exits.

STATEMENT OF DETERMINATION

Mayor Greuter read the following Statement of Determination:

A Statement of Determination of the Board of Canvassers, relative to an Election held in the Borough of Rockaway, County of Morris and State of New Jersey, for the election of certain Municipal Officers for the Municipality on the 6th day of November, 2012.

The said Board does determine that at the said election:

<u>NAME</u>	<u>OFFICE</u>	<u>TERM</u>
Joseph A. Vicente	Borough Council	3 Years
John L. Willer Jr.	Borough Council	3 Years

was or were duly elected to the office and for the term above set forth.

I DO HEREBY CERTIFY that the foregoing is a true, full and correct statement of the determination of the Board of Canvassers therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of November, 2012.

Attest: Joan Bramhall, Morris County Clerk

Chairman of the Board of County Canvassers,
John R. Sette

OATHS OF OFFICE

The Borough Clerk administered the Oaths of Office to Joseph A. Vicente and John L. Willer Jr.

Councilmembers Present

Melissa Burnside
Thomas Donofrio
Joyce Kanigel
Thomas Mulligan
Joseph Vicente
John Willer

Councilmembers Absent

Borough Attorney Edward Wacks was also present.

ELECTION OF COUNCIL PRESIDENT

Mayor Greuter called for nominations for President of the Council. Councilman Donofrio moved to nominate Councilwoman Burnside as Council President for 2013. Councilman Mulligan seconded the nomination.

Upon motion by Councilman Willer, seconded by Councilman Vicente, and carried unanimously upon voice vote, to close the nominations. Via roll call vote, Councilwoman Burnside was unanimously approved as Council President for 2013.

APPOINTMENTS OF MAYOR

Mayor Greuter announced the following appointments:

Standing Committees of Council:

<i>Finance and Licensing</i>	Joyce Kanigel, Chair Joseph Vicente, John Willer, Members
<i>Fire</i>	John Willer, Chair Thomas Donofrio, Melissa Burnside, Members
<i>Ordinance</i>	Thomas Mulligan, Chair Thomas Donofrio, Joseph Vicente, Members
<i>Personnel</i>	Joseph Vicente, Chair Melissa Burnside, Joyce Kanigel, Members
<i>Public Safety</i>	Melissa Burnside, Chair Joyce Kanigel, Thomas Mulligan, Members
<i>Public Works/Public Utilities</i>	Thomas Donofrio, Chair Thomas Mulligan, John Willer, Members

Other Related Council Appointments: (terms ending 12/31/13)

Community Development Revenue Sharing Representatives: John Willer, Thomas Mulligan (Alt.)
Land Use Board - Class III Member: Thomas Donofrio

Council Liaison Appointments: (terms ending 12/31/13)

Board of Health: Melissa Burnside
Historical Committee: Joyce Kanigel
Joint Municipal Court of Dover: Russell Greuter, Melissa Burnside (Alt.)
Local Board of Education: Thomas Mulligan
Parks & Recreation Advisory Committee: Joseph Vicente

Upon motion by Councilman Vicente, seconded by Councilman Donofrio, and carried unanimously via voice vote to approve the aforesaid Mayor's appointments as submitted.

Boards and Commissions:

Board of Health: Debbie Bernardo (3-yr term ending 12/31/15)
Jean Rueter (3-yr term ending 12/31/15)

Environmental Advisory Committee: Joyce Freiermuth (1-yr term ending 12/31/13)
Robert Grow (1-yr term ending 12/31/13)
Kathy Haake (1-yr term ending 12/31/13)

Library Board of Trustees: Carolyn Lanigan (5-yr term ending 12/31/17)

Land Use Board, Class II: William Hopler (1-yr term ending 12/31/13)

Land Use Board, Class IV: Kenneth Banbor (4-yr term ending 12/31/16)
Beverly Insull (4-yr term ending 12/31/16)
Kenneth Blair (3-yr term ending 12/31/15)
Mark Howarth (3-yr term ending 12/31/15)
Robert Schaefer (2-yr term ending 12/31/14)
Thomas Haynes (1-yr term ending 12/31/13)
Joyce Freiermuth (Alt. 4, 1-yr term ending 12/31/13)
Raymond Sedivec (Alt. 1, 1-yr term ending 12/31/13)
Joseph Maulbeck (Alt. 2, 2-yr term ending 12/31/14)
Douglas Weidanz (Alt. 3, 2-yr term ending 12/31/14)

Parks & Recreation Advisory Committee: Toni Dennehy (2-yr term ending 12/31/14)
Thomas Haynes (2-yr term ending 12/31/14)
Sandy Patamia (2-yr term ending 12/31/14)
Donald Doty (1-yr term ending 12/31/13)
Robert Grow (1-yr term ending 12/31/13)
Robert Lenahan (1-yr term ending 12/31/13)

Upon motion by Council President Burnside, seconded by Councilman Willer, and carried unanimously via voice vote to approve the aforesaid Mayor's appointments as submitted.

Professional and Other Appointments (Unless otherwise indicated, all appointments below are one-year terms ending 12/31/13):

<i>Bond Counsel</i>	John Hudak (Law Office of John G. Hudak, Esq., LLC)
<i>Borough Attorney</i>	Edward Wacks (Wacks & Hartmann, LLC)
<i>Borough Auditor</i>	Kathryn Mantell (Nisivoccia LLP)
<i>Borough Engineer</i>	Paul Ferriero (Ferriero Engineering, Inc.)
<i>Health Officer</i>	Mark Caputo (Randolph Township)
<i>Planner</i>	Jessica Giorgianni (H2M Associates)
<i>Risk Manager</i>	David Sgalia (Henry O. Baker Insurance)
<i>Treasurer</i>	John J. Doherty
<i>Water Utility Services</i>	R. Wayne Snure (Precision Flow)
<i>Water Utility Electric Services</i>	Robert O'Malley (Robert O'Malley Electric Contractor)

Part-Time Appointments (All appointments below are one-year terms ending 12/31/13):

<i>Licensed Water Operator:</i>	Andrew DuJack	
<i>Police Matrons:</i>	Joan Sayek	Jessica Suto
	Jennifer Vidal	
<i>School Crossing Guards:</i>	Harry Bebb	Donald Budis
	Ernest Ciccone	Gerald Green
	John Lucosky	Sheila McKnight
	Thomas Nichols	Raymond Palmer
	Katherine Peer	Karen Profit
	Joan Sayek	George Thompson
<i>Zoning Officer:</i>	Barrie Krause	
<i>Office of Emergency Mgmt. Volunteers:</i>	Alfred Andujar	Michael Capps
	Suzanne Capps	

Upon motion by Councilman Willer, seconded by Councilman Donofrio and carried unanimously via voice vote approve the aforesaid Mayor's appointments as submitted.

SWEARING IN OF APPOINTEES

The Borough Clerk administered Oaths of Office to the Land Use Board and Parks & Recreation Advisory Committee members who were present.

Mayor Greuter presented certificates of appreciation to Kenneth Banbor and Kenneth Blair who served on the Board of Adjustment for over 20 years.

CONSENT AGENDA ITEMS

Upon motion by Councilman Willer, seconded by Councilman Mulligan, and carried unanimously upon call of the roll, the following resolutions were adopted:

RESOLUTION 01-13: DESIGNATE OFFICIAL DEPOSITORIES

BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey, that the following banks be and the same are hereby designated as the official depositories for the Borough of Rockaway for the year 2013:

1. Sovereign Bank - Santander
2. PNC Bank
3. State of New Jersey – Cash Management Fund
4. Capital One Bank
5. Bank of America
6. Valley National Bank
7. Wells Fargo Bank
8. Provident Bank
9. Lakeland Bank
10. HSBC Bank USA, NA
11. Toronto Dominion Bank

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

RESOLUTION 02-13: DESIGNATE OFFICIAL NEWSPAPERS

BE IT RESOLVED that the following three (3) newspapers of general circulation in the Borough of Rockaway be and are hereby designated as the official newspapers of the Borough of Rockaway for the year 2013:

1. The Citizen
2. The Morris County Daily Record
3. The Newark Star-Ledger

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

RESOLUTION 03-13: DESIGNATE 2013 MEETINGS OF THE BOROUGH OF ROCKAWAY MAYOR AND COUNCIL

WHEREAS, on October 21, 1975, the Open Public Meetings Act became the law of the State of New Jersey, which law became effective on January 19, 1976; and

WHEREAS, pursuant to the Act, requirements of notice to the public are prescribed for such meetings as those of the Mayor and Council of the Borough of Rockaway;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey, that the following dates during 2013 are designated as regular meetings of the Mayor and Council of the Borough of Rockaway:

January	3 (Reorganization), 10, 24	July	11, 25
February	14, 28	August	8, 22
March	14, 28	September	12, 26
April	11, 25	October	10, 24
May	9, 23	November	14, 25
June	13, 27	December	12, 26

Such meetings shall be held for consideration and official action may be taken upon all regular business which may arise.

BE IT FURTHER RESOLVED that the Mayor and Council hereby designate the following dates during 2013 as their public budget hearings:

January	12 (13), 19 (20), 26 (27)
February	2 (3), 9 (10), 16 (17), 23 (24)
March	2 (3), 9 (10), 16 (17), 23 (24)
December	2 (Capital Budget)

No official action by the Mayor and Council will be taken at the budget hearings unless proper notice has been afforded in accordance with the Law. Said budget hearings shall be for the purpose of discussing the proposed budget for the Borough of Rockaway for the year 2013 and for the 2014 Capital Budget.

All regular and capital budget meetings shall commence at 7:30 p.m. and all budget hearings shall commence at 9:00 a.m. and all shall be held in the Community Center, 21-25 Union Street, Rockaway Borough, New Jersey.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to choose any two of the following three designated official newspapers for the purpose of publishing notice:

1. The Citizen
2. The Morris County Daily Record
3. The Newark Star-Ledger

A copy of this resolution, together with advance notice of any additional regular and/or special meetings of this body, shall be transmitted to the aforesaid newspapers and shall be filed with the Clerk of the Borough of Rockaway.

BE IT FURTHER RESOLVED that upon the affirmative vote of three-fourths of those members present, the Mayor and Council may hold a meeting without compliance with normal notice requirements if such meeting is required to deal with matters of such urgency and importance that a delay in order to effect notice would be likely to result in substantial harm to the public interest. The Borough Clerk shall subsequently post appropriate announcements with regard to any such meeting.

BE IT FURTHER RESOLVED that this Resolution shall constitute the appropriate resolution to be offered in regard to the Open Public Meetings Law and shall be posted and filed in accordance with the terms of this resolution.

DATE: January 3, 2012

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

RESOLUTION 04-13: INTEREST RATE ON DELINQUENT TAXES

BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey, that the rate of interest to be paid upon delinquent taxes for the year 2013 shall be fixed at the rate of eight percent (8%) per centum per annum on the first \$1,500.00 of the delinquency, and eighteen percent (18%) per centum per annum on any amount in excess of \$1,500.00.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Rockaway that no interest shall be charged if payment of any installment is made within ten (10) days after the date upon which the same became payable effective January 1, 2013 as per R.S. 54:4-67. In the event that the 10th day of the month falls on Saturday, Sunday or a Legal Holiday, the date of the Grace Period ends with the following work day.

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

RESOLUTION 05-13: PENALTIES CHARGED ON DELINQUENT TAXES

WHEREAS, the Governor of the State of New Jersey has signed into law an amendment to N.J.S.A. 54:4-67 regarding charges for delinquent taxes; and

WHEREAS, the Mayor and Council have heretofore established certain rates of interest for delinquent taxes to be assessed on such delinquencies; and

WHEREAS, the amendment to the aforesaid New Jersey statute now permits the Mayor and Council to charge a penalty for certain delinquent accounts.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey, that pursuant to N.J.S.A. 54:4-67, there is hereby assessed a six percent (6%) penalty on delinquent tax accounts in excess of the sum of \$10,000.00, if a taxpayer shall fail to make payment in full of the delinquent amount prior to the end of the calendar year in which such taxes shall have accrued and been assessed.

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

RESOLUTION 06-13: INTEREST RATE ON DELINQUENT WATER CHARGES

BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey, that the rate of interest to be paid upon delinquent water charges be the same rate as for unpaid property taxes for the year 2013 and shall be fixed at the rate of eight percent (8%) per centum per annum on the first \$1,500.00 of the delinquency, and eighteen percent (18%) per centum per annum on any amount in excess of \$1,500.00.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Rockaway that no interest shall be charged if payment of any installment is made within thirty (30) days after the date upon which the same became payable effective January 1, 2013 as per R.S. 54:4-67, and pursuant to N.J.S.A. 40A:31-12. In the event that the 30th day of the month falls on a Saturday, Sunday, or Legal Holiday, the date of the Grace Period ends with the following work day.

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

RESOLUTION 07-13: DESIGNATE OFFICIAL FOR TAX SEARCHES AND BANKRUPTCY NOTICES

BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey, that the Tax Collector, Donna Browne, of the Borough of Rockaway be and is hereby designated as the official to make tax searches and searches for municipal liens of the Borough of Rockaway for the year 2013; and

BE IT FURTHER RESOLVED that the Tax Collector, Donna Browne, of the Borough of Rockaway be and is hereby designated as the official to approve bankruptcy notices for the year 2013.

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

RESOLUTION 08-13: DESIGNATE PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, P.L. c. 127 (N.J.A.C.17:27) requires that all public agencies shall designate an official or staff person to act as the liaison to the Affirmative Action Officer of the Department of Treasury and to serve as a Public Agency Compliance Officer; and

WHEREAS, the name, title, business address, telephone number and fax number shall be forwarded to the State Affirmative Action Office by January 10, annually.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey, that Sheila Seifert, Borough Clerk, is hereby named Public Agency Compliance Officer for 2013 and that the Borough Clerk shall have the required registration forms completed so that the Mayor can apply his signature to them on behalf of the Borough of Rockaway; and

BE IT FURTHER RESOLVED that the Borough Clerk is directed to supply a certified copy of this resolution to the State Affirmative Action Office along with the completed and signed registration forms and forward them to the State.

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

RESOLUTION 09-13: APPOINT JOINT INSURANCE FUND COMMISSIONER

WHEREAS, the Borough of Rockaway has resolved to join the Morris County Municipal Joint Insurance Fund; and

WHEREAS, the bylaws of said Fund require that each Municipality appoint a Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey that Sheila Seifert is hereby appointed as the Borough of Rockaway's Commissioner of the Morris County Municipal Joint Insurance Fund and John Doherty as designated alternate for the year 2013; and

BE IT FURTHER RESOLVED that the Borough of Rockaway's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund as required by the Fund's Bylaws and to deliver same to the Administrator of the Fund.

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

RESOLUTION 10-13: APPOINT RISK MANAGEMENT CONSULTANT (DAVID SGALIA – HENRY O. BAKER)

WHEREAS, the Borough of Rockaway has resolved to join the Morris County Municipal Joint Insurance Fund, and;

WHEREAS, the bylaws of said Fund require that each Municipality appoint a Risk Management Consultant to perform various professional services as detailed in the bylaws; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey does hereby appoint as its Risk Management Consultant David J. Sgalia of Henry O. Baker, Inc., 7 South Warren Street, Dover, New Jersey 07801 (973-366-0500), in accordance with the bylaws of the Morris County Municipal Joint Insurance Fund.

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

RESOLUTION 11-13: AUTHORIZATION TO RETAIN PROFESSIONAL SERVICES VIS-À-VIS LOCAL PUBLIC CONTRACTS LAW (MUNICIPAL ATTORNEY AND MUNICIPAL ENGINEER)

WHEREAS, N.J.S.A. 40A:11-1 et. seq., known as the Local Public Contracts Law, requires that all contracts or agreements for the performance of any work, shall not be made or awarded unless public advertising for bids and bidding therefore is solicited; and

WHEREAS, N.J.S.A. 40A:11-5 provides that any contract or agreement may be made, negotiated or awarded without public advertising for bids and bidding therefore, if the subject matter thereof consists of professional services, are rendered or performed by a person authorized by law to practice a recognized profession; and

WHEREAS, the Borough of Rockaway has need for such professional services as municipal attorney and municipal engineer which said services will be performed by persons authorized by law to practice a recognized profession, and

WHEREAS, the Borough of Rockaway has a need to acquire the services of municipal attorney and municipal engineer as contracts without public advertising pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the aforementioned contracts will exceed \$17,500; and

WHEREAS, the certification by the Chief Financial Officer that funds are available is contingent upon the adoption of the 2013 temporary budget and the 2013 municipal budget;

WHEREAS, the anticipated terms of these contracts shall be one year; and

WHEREAS, Wacks and Hartmann, LLC; and Ferriero Engineering, Inc. have submitted proposals indicating they will provide the municipal attorney and municipal engineering services respectively for the Borough of Rockaway; and

WHEREAS, Wacks and Hartmann, LLC; and Ferriero Engineering, Inc. have completed and submitted a Business Entity Disclosure Certification which certifies that Wacks and Hartmann, LLC and Ferriero Engineering, Inc. have not made any reportable contributions to a political or candidate committee in the Borough of Rockaway in the previous one year, and that the contract will prohibit Wacks and Hartmann, LLC; and Ferriero Engineering, Inc. from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey as follows:

1. That in accordance with provisions of N.J.S.A. 40A:11-1, this Mayor and Council is hereby authorized to proceed with the awarding of contracts for the following enumerated services, without the advertising for and the receipt of bids for such work, inasmuch as they are professional services as set forth in said statute:
 - a. Municipal Attorney
 - b. Municipal Engineering Services
2. The Business Disclosure Entity Certification and the Determination of Value shall be available for inspection in the office of the Borough Clerk.

3. That a notice in accordance with this resolution and the Local Public Contracts Law of New Jersey, shall be published in the official newspaper or newspapers of the Borough of Rockaway as required by law.

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

CERTIFICATION FOR AVAILABILITY OF FUNDS

I, JOHN J. DOHERTY, Borough Treasurer, of the Borough of Rockaway, in the County of Morris, Jersey, do hereby certify that funds in the amount as stated in their contracts are currently available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Municipal Attorney and Municipal Engineering Services
Funds are Chargeable to Budget Year: 2013 Temporary Budget and the 2013 Final Budget
Budget Line Item#: Legal and Engineering - Current and Water

DATE: December 27, 2012

BY: John J. Doherty, Treasurer

RESOLUTION 12-13: AUTHORIZATION TO RETAIN PROFESSIONAL SERVICES VIS-À-VIS LOCAL PUBLIC CONTRACTS LAW (BOND COUNSEL, PLANNER, LABOR ATTORNEY)

WHEREAS, N.J.S.A. 40A:11-1 et. seq., known as the Local Public Contracts Law, requires that all contracts or agreements for the performance of any work shall not be made or awarded unless public advertising for bids and bidding therefore is solicited; and

WHEREAS, N.J.S.A. 40A:11-5 provides that any contract or agreement may be made, negotiated or awarded unless public advertising for bids and bidding therefore, if the subject matter thereof consists of professional services, which are rendered or performed by a person authorized by law to practice a recognized profession; and

WHEREAS, the certification by the Chief Financial Officer that funds are available is contingent upon the adoption of the 2013 temporary budget and the 2013 municipal budget;

WHEREAS, the Borough of Rockaway has need for such professional services, which said services will be performed by persons authorized by law to practice a recognized profession.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey as follows:

1. That in accordance with provisions of N.J.S.A. 40A:11-1 et seq., this Mayor and Council is hereby authorized to proceed with the awarding of contracts for the following enumerated services, without the advertising for and the receipt of bids for such work, inasmuch as they are professional services as set forth in said statute:
 - a. Bond Counsel
 - b. Planner
 - c. Labor Attorney
2. That a notice in accordance with this resolution and the Local Public Contracts Law of New Jersey, shall be published in the official newspaper or newspapers of the Borough of Rockaway if required by law.

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

CERTIFICATION FOR AVAILABILITY OF FUNDS

I, JOHN J. DOHERTY, Borough Treasurer, of the Borough of Rockaway, in the County of Morris, Jersey, do hereby certify that funds in the amount as stated in their contracts are currently available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Bond Counsel, Planner and Labor Attorney
Funds are Chargeable to Budget Year: 2013 Temporary Budget and the 2013 Final Budget
Budget Line Item#: Current, Water and Capital

DATE: December 27, 2012

BY: John J. Doherty, Treasurer

RESOLUTION 13-13: AWARD PROFESSIONAL SERVICES CONTRACT (LAND USE BOARD ATTORNEY)

WHEREAS, there exists needs for certain specified professional services to the Borough of Rockaway; and

WHEREAS, said needs or certain specified professional services are to be rendered or performed by a person or persons authorized by law to practice a recognized profession whose practice is regulated by law within the meaning of N.J.S.A. 40A:11-2, et seq. as amended; and

WHEREAS, the performance of said professional services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal base of specialized training and study; as distinguished from general academic instruction or apprenticeship and training; and

WHEREAS, said professional services cannot reasonably be described by written specifications; and

WHEREAS, the budget duly composed and approved by the Mayor and Council provides generally for funds for the services of such professional and/or certain escrow accounts paid by applicants for development provide for the payment for such services; and

WHEREAS, a Certificate of Availability of Funds has been filed by the Borough of Rockaway Chief Financial Officer; and

WHEREAS, the services to be performed are "Professional Services" as defined in N.J.S.A. 40A:11-5(1)(a)(i) and therefore excepted from the Local Public Contracts Law requirements for competitive bidding.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey as follows:

1. The Borough of Rockaway, in accordance with the Local Public Contracts Law, hereby authorizes and approves the award of a professional services contract for calendar year 2013 as noted on the attached schedule, contract copy is on file in the Office of the Clerk and is incorporated herein by reference and the terms and conditions stated on the attached schedule. Said contract is hereby ratified and confirmed, and upon passage of this Resolution, the Mayor and Borough Clerk be and the same are hereby authorized to enter into said contract.
2. That a notice in accordance with this resolution and the Local Public Contracts Law of New Jersey, shall be published in the official newspaper or newspapers of the Borough of Rockaway if required by law.
3. That the Mayor and Council of the Borough of Rockaway, New Jersey hereby authorize and direct the execution of the aforesaid contract for the period commencing on the date set forth therein.
4. That a notice in accordance with this resolution and the Local Public Contracts Law of New Jersey, shall be published in the official newspaper or newspapers of the Borough of Rockaway as required by law.
5. That an executed copy of the Contract and a copy of this resolution shall be filed in the Office of the Borough Clerk and be available there for inspection in accordance with law.
6. That this resolution shall take effect immediately.

PROFESSIONAL SERVICES SCHEDULE

LAND USE BOARD ATTORNEY: David Burton Brady \$150.00 per hour
Brady & Correale, L.L.P.
50 South Street, 3rd Floor
Morristown, NJ 07960
(973) 267-3500

DATE: January 3, 2013 BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk BY: Russell Greuter, Mayor

CERTIFICATION FOR AVAILABILITY OF FUNDS

I, JOHN J. DOHERTY, Borough Treasurer, of the Borough of Rockaway, in the County of Morris, Jersey, do hereby certify that funds in the amount as stated in their contracts are currently available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Land Use Board Attorney

Funds are Chargeable to Budget Year: 2013 Temporary Budget and the 2013 Final Budget

Budget Line Item#: Land Use Board

DATE: December 27, 2012

BY: John J. Doherty, Treasurer

RESOLUTION 14-13: AWARD PROFESSIONAL SERVICES CONTRACT (MUNICIPAL AUDITOR)

WHEREAS, there exists needs for certain specified professional services to the Borough of Rockaway; and

WHEREAS, said needs or certain specified professional services are to be rendered or performed by a person or persons authorized by law to practice a recognized profession whose practice is regulated by law within the meaning of N.J.S.A. 40A:11-2, et seq. as amended; and

WHEREAS, the performance of said professional services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal base of specialized training and study; as distinguished from general academic instruction or apprenticeship and training; and

WHEREAS, said professional services cannot reasonably be described by written specifications; and

WHEREAS, the budget duly composed and approved by the Mayor and Council provides generally for funds for the services of such professional and/or certain escrow accounts paid by applicants for development provide for the payment for such services; and

WHEREAS, Kathryn Mantell, C.P.A., R.M.A., Nisivoccia LLP, has completed and submitted a Business Entity Disclosure Certification which certifies that Kathryn Mantell, C.P.A., R.M.A., Nisivoccia LLP, has not made any reportable contributions to a political candidate committee in the Borough of Rockaway in the previous year, and that the contract will prohibit Kathryn Mantell, C.P.A., R.M.A., Nisivoccia LLP, from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the aforementioned contracts will exceed \$17,500; and

WHEREAS, the services to be performed are "Professional Services" as defined in N.J.S.A. 40A:11-5(1)(a)(i) and therefore excepted from the Local Public Contracts Law requirements for competitive bidding.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey as follows:

1. The Borough of Rockaway, in accordance with the Local Public Contracts Law, hereby authorizes and approves the award of a professional services contract for the period of performance as noted on the attached schedule, contract copy is on file in the office of the Clerk and is incorporated herein by reference and the terms and conditions stated on the attached schedule. Said contract is hereby ratified and confirmed, and upon passage of this Resolution, the Mayor and Borough Clerk be and the same are hereby authorized to enter into said contract.
2. That this Contract is awarded without competitive bidding as a professional services contract under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) because such service is a recognized profession licensed and regulated by law.
3. That the Mayor and Council of the Borough of Rockaway, New Jersey hereby authorize and direct the execution of the aforesaid contract for the period commencing on the date set forth therein.
4. That a notice in accordance with this resolution and the Local Public Contracts Law of New Jersey, shall be published in the official newspaper or newspapers of the Borough of Rockaway as required by law.
5. That an executed copy of the Contract and a copy of this resolution shall be filed in the Office of the Borough Clerk and be available there for inspection in accordance with law.
6. That this resolution shall take effect immediately.

PROFESSIONAL SERVICES SCHEDULE

AUDITOR: Kathryn Mantell, C.P.A., R.M.A.
Nisivoccia LLP
200 Valley Rd., Suite 300
Mt. Arlington, NJ 07856
(973) 328-1825

2013 Annual Audit including preparation and filing of the 2013 Annual Financial Statement and Annual Debt Statement and assistance with the 2013 Annual Municipal Budget effective January 1, 2013 through December 31, 2013 - \$24,500.00 and \$1,500.00 for the review of the Borough's Length of Service Award Program.

If additional services for accounting, consulting and related services, including debt management plans, advice and assistance with bond sales, preparation of financial statements and statistical information for inclusion in an Official Statement for the issuance of debt, tax rate projections, fund balance projections, special research projects, or other services, are needed, fees will be charged at the standard hourly rates as follows:

1. Partner	\$135.00-150.00 per hour
2. In-Charge Accountant	\$110.00 per hour
3. Principal	\$135.00 per hour
4. Staff Accountant	\$ 95.00-110.00 per hour

DATE: January 3, 2013 BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk BY: Russell Greuter, Mayor

CERTIFICATION FOR AVAILABILITY OF FUNDS

I, JOHN J. DOHERTY, Borough Treasurer, of the Borough of Rockaway, in the County of Morris, Jersey, do hereby certify that funds in the amount as stated in their contracts are currently available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Municipal Auditor, in the amount not to exceed \$26,000.00
Funds are Chargeable to Budget Year: 2013 Temporary and Final Current and Water Budgets

DATE: December 27, 20 January 3, 2013 BY: John J. Doherty, Treasurer

RESOLUTION 15-13: 2013 TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES

WHEREAS, 40A:4-19 Local Budget Act provides that (where any contracts, commitments or payments are to be made prior to the final adoption of the 2013 budget) temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty (30) days of 2013, and

WHEREAS, the total appropriations in the 2012 Budget, less appropriations made for capital improvement fund, debt service and relief of the poor (public assistance) are as follows:

General	\$6,237,000.00
Water Utility	\$1,393,000.00

WHEREAS, 26.25% of the total appropriations in the 2012 Budget less appropriations for capital improvement fund, debt service and relief of the poor (public assistance) in the said 2013 Budget is as follows:

General	\$1,637,000.00
Water Utility	\$ 365,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

2013 TEMPORARY BUDGET

Water Utility Budget

Administrative & Executive, Salaries and Wages	\$144,000.00
Administrative & Executive, Other Expenses	79,000.00
Group Insurance	68,000.00
General Insurance	47,000.00
Capital Outlay	0.00
Statutory Expenditures	<u>27,000.00</u>
TOTAL	\$365,000.00

General Municipal Budget

Mayor and Council, Salaries & Wages	\$ 0.00
Mayor and Council, Other Expenses	500.00
Municipal Clerk, Salaries & Wages	25,000.00
Municipal Clerk, Other Expenses	10,000.00
Financial Administration, Salaries & Wages	22,000.00
Financial Administration, Other Expenses	3,000.00
Audit Services, Other Expenses	12,500.00
Collection of Taxes, Salaries & Wages	13,000.00
Collection of Taxes, Other Expenses	2,000.00
Assessment of Taxes, Salaries & Wages	6,500.00
Assessment of Taxes, Other Expenses	500.00
Legal Services and Costs, Other Expenses	15,000.00
Engineering Services & Costs, Other Expenses	15,000.00
Planning Board, Salaries & Wages	2,000.00
Planning Board, Other Expenses	500.00
Board of Adjustment, Salaries & Wages	2,000.00
Board of Adjustment, Other Expenses	1,000.00
Zoning Enforcement, Salaries & Wages	3,000.00
Zoning Enforcement, Other Expenses	500.00
Liability Insurance, Other Expenses	75,100.00
Workers Compensation Insurance, Other Expenses	60,000.00
Employee Group Insurance, Other Expenses	70,700.00
Police Department, Salaries & Wages	330,000.00
Police Department, Other Expenses	35,000.00
Alarm System – Police and Fire, Other Expenses	15,000.00
Emergency Management - Assistance, Other Expenses	300.00
Volunteer Fire Department, Other Expenses	21,000.00
Fire Prevention/Uniform Code, Salaries & Wages	6,000.00
Fire Prevention/Uniform Code, Other Expenses	1,000.00
Streets & Roads, Salaries and Wages	47,000.00
Streets & Roads, Other Expenses	25,000.00
Building and Grounds, Other Expenses	20,000.00
Shade Tree Commission, Other Expenses	4,000.00

Other Public Works Functions, Other Expenses	1,000.00
Senior Citizens, Salaries & Wages	2,000.00
Senior Citizens, Other Expenses	1,500.00
Vehicle Maintenance, Other Expenses	8,500.00
Board of Health, Salaries & Wages	400.00
Board of Health, Other Expenses	40,000.00
Recreation Commission, Salaries & Wages	3,000.00
Recreation Commission, Other Expenses	7,000.00
Maintenance of Parks, Other Expenses	10,000.00
Uniform Construction Code Enforcement, Salaries & Wages	6,000.00
Uniform Construction Code Enforcement, Other Expenses	500.00
Construction Official, Salaries & Wages	14,000.00
Construction Official, Other Expenses	1,000.00
<u>Utilities, Other Expenses</u>	
Electricity	15,000.00
Street Lighting	15,000.00
Telephone	10,000.00
Gas (Natural or Propane)	6,000.00
Telecommunications	1,000.00
Gasoline and Diesel	15,000.00
Solid Waste Collection, Salaries and Wages	5,000.00
Solid Waste Collection, Other Expenses	110,500.00
Public Employees Retirement System	62,000.00
Social Security	30,000.00
Police and Firemen Retirement System	303,000.00
Municipal Court, Other Expenses	22,500.00
Municipal Library, Salaries and Wages	35,000.00
Municipal Library, Other Expenses	10,000.00
Sewerage Processing & Disposal, Salaries and Wages	0.00
Sewerage Processing & Disposal, Other Expenses	50,000.00
Safe and Secure Communities, Salaries and Wages	6,500.00
Safe and Secure Communities, Other Expenses	1,500.00
TOTAL	<u>\$1,637,000.00</u>

Capital Improvements \$50,000.00

DATE: January 3, 2013

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

PUBLIC PORTION

Mayor Greuter opened the meeting to the public. There being no comments, Mayor Greuter closed the meeting to the public.

ADJOURNMENT

The meeting adjourned at 7:48 p.m.

Approved: As Submitted

Sheila Seifert, Borough Clerk

Date: January 24, 2013