

**MAYOR & COUNCIL  
REGULAR MEETING  
OCTOBER 13, 2011  
7:30 p.m.**

The Regular 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.

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, Town Hall, and sending to the officially designated newspapers, a list of meeting dates annually, indicating that the meeting would take place at the Community Center at 7:30 p.m. on October 13, 2011. Mayor Greuter announced the location of the fire exits.

Councilmembers Present

Thomas Donofrio  
Joyce Kanigel  
Thomas Mulligan  
Joseph Vicente  
John Willer  
Melissa Burnside - Council President

Councilmembers Absent

Borough Attorney Ed Wacks was also present.

Everyone present participated in the salute to the flag.

PROCLAMATION

Council President Burnside read a proclamation for the Pancreatic Cancer Action Network proclaiming the month of November 2011 as pancreatic cancer awareness month in the Borough. Mrs. Judith Klein accepted the proclamation.

APPROVAL OF MINUTES

Upon motion by Councilman Donofrio, seconded by Councilman Vicente, and carried unanimously upon voice vote, the minutes of the September 22, 2011 Regular Meeting were accepted as submitted.

CORRESPONDENCE

Mayor Greuter read a letter from Matthew Wasko dated September 29, 2011 requesting permission to sell Christmas trees from November 26 through December 24, 2010 at 100 Hibernia Avenue daily until 9:00 p.m. Mr. Wasko also volunteered to donate the tree for the Library gazebo.

Upon motion by Councilman Vicente, seconded by Councilman Donofrio, and unanimously carried by voice vote to accept the correspondence, approve said sale, and to advise the Zoning Officer of same.

COUNCIL REPORTS

Personnel Committee - Councilwoman Kanigel

*Historical Committee*

The Historical Committee is preparing a grant application to the County of Morris to purchase a sign to memorialize the Morris Canal. The sign would include a photograph of an area near the proposed location of the sign at Maple Ave. Park.

Upon motion by Councilman Mulligan, seconded by Council President Burnside, and carried unanimously upon voice vote, to accept the Personnel Committee report.

Public Works/Public Utilities Committee - Councilman Donofrio

Potbelly's will sponsor a river clean-up on October 30.

Upon motion by Councilman Vicente, seconded by Councilman Mulligan, and carried unanimously upon voice vote, to accept the Public Works/Public Utilities Committee report.

Ordinance Committee - Councilman Mulligan

*Recreation*

There were football activities at Donatoni Community Park that resulted in a mess. All organizations have been informed regarding their responsibilities for cleaning up, lights, bathrooms, etc. Discussion ensued regarding the use of the Gee property for overflow parking.

Upon motion by Councilman Willer, seconded by Councilman Donofrio, and carried unanimously upon voice vote, to accept the Ordinance Committee report.

Finance and Licensing Committee - Councilman Vicente

*Payment of Bills*

Upon motion by Councilman Vicente, seconded by Council President Burnside, and carried unanimously upon voice vote, that the bills presented to the Borough of Rockaway for payment by the Borough, as evidenced by proper vouchers, be referred to the Committee or unit contracting for same, and, when endorsed by them and approved by appropriate action of Council, that they are to be paid.

Upon motion by Councilman Donofrio, seconded by Councilman Mulligan, and carried unanimously upon voice vote, to accept the Finance and Licensing Committee report.

Fire Committee - Councilman Willer

*Fire Department*

The Fire Department called drills on October 19 and 26 and accepted the applications of R. Hammon Jr. and A. Yanus for active duty.

Upon motion by Councilman Willer, seconded by Councilman Donofrio, and carried unanimously upon voice vote, to approve the actions of the Fire Department.

Upon motion by Council President Burnside, seconded by Councilman Donofrio, and carried unanimously upon voice vote, to accept the Fire Committee report.

Public Safety Committee - Council President Burnside

*Board of Health*

Additional flu clinics have been scheduled.

*Super Seniors*

The Super Seniors requested assistance in picking up members to attend their meetings on the first and third Thursdays. They offered to give up some of their allotment to help offset the cost of the bus. Council President Burnside will ask for a more detailed proposal.

*Social Services*

Council President Burnside discussed the social services programs coordinated by Betty Shuman who will retire at the end of December. Some programs will be handled by other organizations, but the holiday wishes program is still open.

*Public Safety*

The individual who is a substitute crossing guard will no longer be available; Chief Scheer requested permission to do background check and week of training for a new potential substitute.

Upon motion by Council President Burnside, seconded by Councilman Willer, and approved unanimously via voice vote to authorize Police Chief Scheer to move forward to replace the substitute crossing guard and perform the associated background check and training.

Twenty-three out of 61 residents returned FEMA applications to receive more information about possibly selling or elevating their homes. FEMA may pay 75 percent; it is not clear who will pay the balance.

Mayor Greuter stated that graffiti was painted on Friendship Field, Maple Ave., Municipal Building, old Rockaway Pharmacy, etc.

Upon motion by Councilman Willer, seconded by Councilman Donofrio, and carried unanimously upon voice vote, to accept the Public Safety Committee report.

#### ATTORNEY'S REPORT

Mr. Wacks has been working with Chief Scheer regarding the implementation of a directive from the Attorney General regarding internal affairs. The Public Safety Committee must approve the Police Department's rules and regulations.

Upon motion by Councilman Willer, seconded by Councilman Vicente, and carried unanimously upon voice vote, to accept the Borough Attorney's report.

#### MAYOR'S REPORT

Mayor Greuter reviewed his recent activities, including attendance at the Fire Department banquet, FEMA mitigation plan, and a meeting with Drake Avenue residents regarding flooding. The Public Works Department cleaned out a culvert and storm drain

Upon motion by Councilman Willer, seconded by Councilman Mulligan, and carried unanimously upon voice vote, to accept the Mayor's report.

#### CLERK'S REPORT

##### *Bingo/Raffle License Approvals*

Approved on-premise 50/50 raffle license for Coming Home Rescue to be held on October 23, 2011 and an on-premise tricky tray raffle license for HSA Rockaway Boro to be held on December 3, 2011.

Upon motion by Councilman Willer, seconded by Councilman Donofrio, and carried unanimously upon voice vote, to accept the Clerk's report.

#### CONSENT AGENDA ITEMS

Councilwoman Kanigel requested an explanation of the resolutions regarding the Fire Department incident vehicle.

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

##### **RESOLUTION 128-11: EXECUTE CONTRACT FOR RANDOM DRUG TESTING OR SUBSTANCE ABUSE SCREENING (SAINT CLARE'S)**

**WHEREAS**, the Borough of Rockaway is committed to providing and maintaining an alcohol-free and drug-free workplace; and

**WHEREAS**, in furtherance of that goal, any Employee may be subject to random drug testing; and

**WHEREAS**, any Employee who is suspected of being under the influence of an illegal drug or alcohol during working hours may, based upon reasonable suspicion, be required to undergo a substance abuse screening at the Borough's expense, the time and location of the screening to be determined at the Borough's sole discretion; and

**WHEREAS**, such random drug testing or substance abuse screening should be performed by a qualified agency; and

**WHEREAS**, Saint Clare's Community Care, Inc., 715 Route 10 East, Randolph, New Jersey 07869 operates a comprehensive Corporate Health Program located at Saint Clare's Hospital/Dover Campus, 400 West Blackwell Street, Dover, New Jersey 07801 (973-989-3000) which includes drug testing and substance abuse screening; and

**WHEREAS**, Saint Clare's has submitted a proposal to provide random drug testing and substance abuse screening at the following rates:

Five panel drug screen with GC/MS confirmation and MRO services	\$69.00
Breath alcohol	\$49.00
Breath alcohol confirmation	\$49.00
OSHA record retention and reporting	N/C

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

**WHEREAS**, the Local Public Contracts Law (NJSA 40A:11) states that a contract that is below the bid threshold may be awarded without public 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 Mayor is hereby authorized and directed to execute an Agreement for Corporate Health Services with Saint Clare's Community Care, Inc., 715 Route 10 East, Randolph, New Jersey 07869 for random drug testing or substance abuse screening to be provided at Saint Clare's Hospital/Dover Campus, 400 West Blackwell Street, Dover, New Jersey 07801 (973-989-3000) for the period beginning October 1, 2011 and ending September 30, 2012, at the following rates:

Five panel drug screen with GC/MS confirmation and MRO services	\$69.00
Breath alcohol	\$49.00
Breath alcohol confirmation	\$49.00
OSHA record retention and reporting	N/C

2. A copy of this resolution, and of the subject agreement, shall be made available for inspection in the office of the Borough Clerk.

DATE: October 13, 2011

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:

Corporate Health Services with Saint Clare's Community Care, Inc., 715 Rt. 10 East, Randolph, NJ 07869  
Budget Line Item#: Board of Health O.E.

DATE: October 13, 2011

BY: John J. Doherty, Treasurer

**RESOLUTION 129-11: AUTHORIZE CONTRACT AWARD (DEPARTMENT OF PUBLIC WORKS – HOOK LIFT SYSTEM)**

**WHEREAS**, there exists a need for the Department of Public Works to obtain a hook lift system for installation on its heavy duty truck chassis; and

**WHEREAS**, a diligent attempt to obtain several quotes was made by the Superintendent, Department of Public Works, with the lowest response being received from Tony Sanchez, Ltd., 1685 U.S. Route 46, Ledgewood, NJ 07852 (telephone 973-398-3398, fax 973-328-3607); and

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

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11) states that a contract that is below the bid threshold may be awarded without public bidding;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey that, based upon the recommendation of the Superintendent, Department of Public Works, the Borough enter into a contract in an amount not to exceed \$22,925.00 Tony Sanchez, Ltd., 1685 U.S. Route 46, Ledgewood, NJ 07852 (telephone 973-398-3398, fax 973-328-3607) to supply and install a 2012 Ampliroll Model AL100S hook lift system on the Borough's heavy duty truck chassis as specified by their quote received September 26, 2011.

DATE: October 13, 2011

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:

Tony Sanchez, Ltd., 1685 U.S. Route 46, Ledgewood, NJ 07852  
Ordinance #: 04-11 \$22,925.00

DATE: October 13, 2011 BY: John J. Doherty, Treasurer

**RESOLUTION 130-11: CANCEL CERTAIN FULLY FUNDED GENERAL CAPITAL ORDINANCES**

**WHEREAS**, the Borough of Rockaway is desirous to cancel the balances of certain General Capital Ordinances which have been completed; and

**WHEREAS**, these ordinances are fully funded; and

**WHEREAS**, the balances of these ordinances will be transferred to General Capital Surplus.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey hereby cancel the balances of the following ordinances:

ORD 5-01-01	ANDREA DRIVE	\$ 6,000.00
ORD 5-01-02	ROCKAWAY LINCOLN STORM DRAIN	\$ 7,000.00
ORD 9-03-01	DOWNTOWN DEVELOPMENT	\$40,862.18
ORD 1-08	SANITARY SEWERS	\$ 2,372.10

DATE: October 13, 2011 BOROUGH OF ROCKAWAY  
ATTEST: Sheila Seifert, Borough Clerk BY: Russell Greuter, Mayor

**RESOLUTION 131-11: AUTHORIZATION TO AWARD CONTRACT (FIRE DEPT. COMMAND VEHICLE)**

**WHEREAS**, there exists a need to obtain a command vehicle for the Fire Department; and

**WHEREAS**, a state contract exists for the purchase of vehicles from Mall Chevrolet, Inc., 75 Haddonfield Rd., Cherry Hill, NJ 08002 (856-662-7000); and

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

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey, that it does hereby authorize the purchase of a 2012 Chevrolet Tahoe SSV for use by the Fire Department as a command vehicle from Mall Chevrolet, Inc., 75 Haddonfield Rd., Cherry Hill, NJ 08002 (856-662-7000), under Contract No. A78763, not to exceed the amount of \$32,065.40.

DATE: October 13, 2011 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:

Mall Chevrolet, Inc., 75 Haddonfield Rd., Cherry Hill, NJ 08002  
Ordinance #: General Capital Surplus \$32,065.40

DATE: October 13, 2011 BY: John J. Doherty, Treasurer

ORDINANCE NO. 15-11, Introduction & First Reading

**ORDINANCE OF THE  
BOROUGH OF ROCKAWAY, COUNTY OF MORRIS,  
APPROPRIATING \$33,000.00  
FOR FIRE DEPARTMENT COMMAND VEHICLE**

Councilman Willer moved that this ordinance be taken up and passed on first reading and that the Borough Clerk be authorized to have the ordinance published in accordance with the law in *The Citizen* and the *Daily Record* for hearing and final passage on November 10, 2011.

Said motion was seconded by Councilman Donofrio, and passed as follows upon call of the roll:

Roll Call: Ayes: Donofrio, Kanigel, Mulligan, Vicente, Willer, Burnside  
Nays: None

ORDINANCE NO. 14-11, Public Hearing & Adoption

Councilman Vicente offered the following ordinance as read by title on second reading:

**ORDINANCE OF THE BOROUGH OF ROCKAWAY  
MAYOR AND COUNCIL  
WAIVING UNIFORM CONSTRUCTION CODES FEES  
FROM SEPTEMBER 12, 2011 THROUGH DECEMBER 31, 2011  
FOR HURRICANE IRENE VICTIMS**

**WHEREAS**, the Mayor and Council of the Borough of Rockaway have determined that the devastation caused by Hurricane Irene had a profound impact on the residents and businesses of the Borough of Rockaway; and

**WHEREAS**, the Mayor and Council would like to assist the residents and business owners in completing the restoration work as soon as possible; and

**WHEREAS**, the Mayor and Council would like to waive fees for the permits for work done as a result of Hurricane Irene; and

**WHEREAS**, the State of New Jersey, Department of Community Affairs, Division of Codes and Standards, has advised that, pursuant to N.J.A.C. 5:23-4.19(b)5., the State permit surcharge fee would also be waived if the municipality waives its fees; and

**WHEREAS**, the Mayor and Council of the Borough of Rockaway acknowledge that this Ordinance will be introduced and adopted after its effective date.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey, that the permit fees subsequent to Chapter 115, Uniform Construction Codes, are hereby waived for those residents and/or businesses seeking to make repairs as the result of Hurricane Irene, provided that applications for any necessary permits are filed between September 12, 2011 through December 31, 2011.

**BE IT FURTHER ORDAINED** that nothing in this Ordinance shall: (a) relieve any person from the obligation to apply for any and all necessary permits; or (b) prevent any Borough of Rockaway Construction Code or Subcode Official from assessing fines or taking enforcement action based on the failure of any person to apply for any and all necessary permits.

DATE: October 13, 2011 BOROUGH OF ROCKAWAY

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

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

On motion by Councilman Vicente, and seconded by Councilman Mulligan, the above mentioned ordinance was adopted by the following roll call:

Roll Call: Ayes: Donofrio, Kanigel, Mulligan, Vicente, Willer, Burnside  
Nays: None

PUBLIC PORTION

Mayor Greuter opened the meeting to the public.

Mrs. Judy Klein thanked the Council for the Pancreatic Cancer proclamation and explained the upcoming events.

Mrs. Bonnie Hook, Jackson Ave., disagreed with the decision to cancel the Downtown Development ordinance.

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

ADJOURNMENT

The meeting adjourned at 8:37 p.m.

Approved: As Submitted

Sheila Seifert, Borough Clerk

Date: October 27, 2011