

**MAYOR AND COUNCIL  
REGULAR MEETING  
MARCH 26, 2020  
6:00 PM**

Public notice is hereby given that the meeting of the Mayor and Council of the Borough of Rockaway previously scheduled for Thursday, March 26, 2020 at 6:00PM, to take place in the Community Center, 21-25 Union Street, Rockaway, NJ 07866, has been changed to a telephonic meeting only, in accordance with N.J.S.A. 10:4-6, et. seq. (the Open Public Meetings Act), at which time formal action will be taken.

The public is invited to attend this meeting by calling:  
973-586-0354

Patricia L. Bussow, RMC  
Administrator/Borough Clerk

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. CORRESPONDENCE
4. COUNCIL REPORTS
5. REPORT OF ATTORNEY
6. REPORT OF MAYOR
7. REPORT OF ADMINISTRATOR/CLERK
8. CONSENT AGENDA: Resolutions
  - #57-20 Dedicated Trust by Rider for Tree Replacement Reserve
  - #58-20 Award Contract (Elycroft Avenue Road Improvements & Drainage Improvement)
  - #59-20 Refund Tax Overpayment (Block 46, Lot 10)
  - #60-20 Resolution Authorizing the Mayor to Execute a NJDOT Grant Application to be Filed Jointly with the Township of Denville Seeking Full Funding for the Installation of Sidewalks and Curbs on Franklin Avenue between Knolls Drive and Route 46
9. MEETING OPEN TO THE PUBLIC
10. CLOSED SESSION (If required)
11. ADJOURNMENT

**RESOLUTION 57-20: REQUEST APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR TREE REPLACEMENT RESERVE, PURSUANT TO N.J.S.A 40A: 4-39**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:4-39 permits municipalities to establish a Tree Replacement Reserve to be used for any purpose replacing trees removed due to development by the local unit after current budget appropriations for that purpose have been expended.

**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 and Council hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Tree Replacement purposes created in accordance with the provisions as per N.J.S.A. 40A: 4-39; and
2. The Borough Clerk of the Borough of Rockaway is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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**RESOLUTION 58-20: AWARD CONTRACT (ELYCROFT AVENUE ROAD IMPROVEMENTS & DRAINAGE IMPROVEMENT PROJECT)**

**WHEREAS**, on March 11, 2020 the Borough Clerk received seven (7) bid proposals for Elycroft Avenue Road & Drainage Improvement Project:

Your Way Construction, Inc. 404 Coit Street Irvington, NJ 07111 \$142,249.73	Top Line Construction, Corp. 22 Fifth Street Somerville, NJ 08876 \$165,583.58	Mark Paving Co., Inc. 77 Cutters Dock Road Woodbridge, NJ 07095 \$170,556.50
AJM Contractors, Inc. 300 Kuller Road Clifton, NJ 07011 \$179,553.00	ADG Contracting Corp. 386 South Street, Suite 169 Newark, NJ 07105 \$236,315.00	Salmon Brothers, Inc. PO Box 67 Netcong, NJ 07857 \$264,215.00
Messercola Excavating Co., Inc. 549 East Third Street Plainfield, NJ 07060 \$1,769,015.90		

**WHEREAS**, the apparent low bidder was Your Way Construction, Inc., 404 Coit Street, Irvington, NJ 07111, with a bid in the amount of \$142,249.73; and

**WHEREAS**, the contract is being awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, a Certification for Availability of Funds has been filed by the Borough of Rockaway Chief Financial Officer.

**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 and Borough Clerk are hereby authorized and directed to execute an agreement in an amount not to exceed \$142,249.73 with Your Way Construction, Inc., 404 Coit Street, Irvington, NJ 07111, for Elycroft Avenue Road & Drainage Improvement Project.
2. A copy of this resolution and the subject agreement shall be made available for inspection in the office of the Borough Clerk.

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**RESOLUTION 59-20: REFUND YEAR 2020 TAX OVERPAYMENT (BLOCK 46, LOT 10)**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Rockaway to refund the Year 2020 tax overpayment in the amount of \$2,161.60 to Michael Kennedy, 61 Academy Street, Rockaway, NJ 07866.

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**RESOLUTION 60-20: RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A NJDOT GRANT APPLICATION TO BE FILED JOINTLY WITH THE TOWNSHIP OF DENVILLE SEEKING FULL FUNDING FOR THE INSTALLATION OF SIDEWALKS AND CURBS ON FRANKLIN AVENUE BETWEEN KNOLLS DRIVE AND ROUTE 46**

**WHEREAS**, pedestrians, specifically high school age students, regularly walk along the narrow shoulder on Franklin Avenue, which has limited sight distance between Knolls Drive and Route 46 before, during and after the school day; and

**WHEREAS**, the Township of Denville and the Borough of Rockaway are working collaboratively to seek grant funding from the NJDOT Local Aid Infrastructure Fund (formerly Discretionary Aid) to pay for 100% of the costs associated with the installation of sidewalks and curbs along the aforementioned section of Franklin Avenue in order to protect and enhance the safety of pedestrians and school children who regularly walk along that stretch of roadway.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Rockway, County of Morris, State of New Jersey that the Mayor be authorized to execute the grant application to seek full funding for the installation of sidewalks and curbs on Franklin Avenue between Knolls Drive and Route 46.