

**MAYOR AND COUNCIL
REGULAR MEETING
MAY 28, 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, May 28, 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:

+1 (872) 240-3212
Access Code 793-446-437

Patricia L. Bussow, RMC
Administrator/Borough Clerk

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MINUTES: Regular Meeting - April 9, 2020
Regular Meeting - April 23, 2020
4. CORRESPONDENCE
5. COUNCIL REPORTS
6. REPORT OF ATTORNEY
7. REPORT OF MAYOR
8. REPORT OF ADMINISTRATOR/CLERK
9. CONSENT AGENDA: Resolutions
 - #78-20 Refund Overpayment (Police Security Officer)
 - #79-20 Award Contract (MetLife)
 - #80-20 Authorize Settlement Agreement (Rockaway Gardens)
 - #81-20 Submit NJDOT Grant Application (Mannino Drive and Nichols Drive)
10. MEETING OPEN TO THE PUBLIC
11. CLOSED SESSION (If required)
12. ADJOURNMENT

RESOLUTION 78-20: REFUND MORRIS HILLS REGIONAL SCHOOL DISTRICT (POLICE SECURITY OFFICER)

WHEREAS, the Borough of Rockaway received payment of \$36,000.00 from Morris Hills Regional School District, 48 Knoll Drive, Rockaway, NJ 07866 (973-664-2280) to be applied to the police security officer; and

WHEREAS, the actual cost for the 2019-2020 school year for the police security officer was \$26,047.29, thereby resulting in an overpayment of \$9,952.71.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway, County of Morris, to refund the overpayment of \$9,952.71 for the police security officer to Morris Hills Regional School District, 48 Knoll Drive, Rockaway, NJ 07866 (973-664-2280).

RESOLUTION 79-20: AWARD CONTRACT (DENTAL, SHORT-TERM DISABILITY, LONG-TERM DISABILITY, AND LIFE INSURANCE FOR FULL-TIME EMPLOYEES)

WHEREAS, the Borough of Rockaway desires to provide dental, short-term disability, long-term disability, and life insurance coverage for its full-time employees; and

WHEREAS, MetLife, 4150 N. Mulberry Drive, Suite 300, Kansas City, MO 64116 (800-624-4071), provides such insurance coverage; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) provides that any contract the amount of which exceeds the bid threshold, may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor and shall be awarded by resolution of the governing body if the subject matter thereof consists of insurance, including the purchase of insurance coverage and consultant services, which exception shall be in accordance with the requirements for extraordinary unspecifiable services; 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:11-1 et seq) requires that a resolution authorizing the payment of such fees without competitive bidding must be publicly advertised.

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 \$156,288.00 with MetLife, 4150 N. Mulberry Drive, Suite 300, Kansas City, MO 64116 (800-624-4071) for dental, short-term disability, long-term disability, and life insurance for full-time employees, for the period July 1, 2020 through June 30, 2022.
 2. This contract is awarded without competitive bidding as "Extraordinary, Unspecifiable Services" in accordance with the Local Public Contracts Law because the services required cannot be reasonably described by written specifications to assure that the qualitative and quantitative assessment of the problem involved, which require expertise, extensive training and proven reputation in the field of endeavor are obtained.
 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.
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RESOLUTION 80-20: AUTHORIZE SETTLEMENT AGREEMENT (ROCKAWAY GARDENS)

WHEREAS, the Borough provides and charges for water service through the Borough Water Utility and bills Robmar Realty Associates, LLC t/a Rockaway Gardens Apartments quarterly for water received based on rate and consumption in accordance with Borough Ordinance; and

WHEREAS, a discrepancy arose as to the calculation of the charges on the water bill as a result of the upgrade and replacement of the previous water meter by the Borough with a different type of meter; and

WHEREAS, although it is the position of the Borough that it has the discretion to amend the ordinance at any time to change the manner in which charges are calculated to be consistent with that of how the new meter had been set in this instance or in any other way it may deem appropriate, that was not a change that was intended when the Borough made the decision to upgrade the existing water meters; and

WHEREAS, the Parties prefer to resolve the current issue amicably and without further risk or expense and wish to execute a settlement agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway, in the County of Morris, State of New Jersey, that the Borough Clerk is hereby authorized to execute a settlement agreement with Robmar Realty Associates, LLC t/a Rockaway Gardens Apartments stating that the Borough will issue a total credit in the amount of \$13,741.77 to be applied to charges on Releasor's accounts. Such credit shall be applied to any charges on both Account No. 0100-00191 and 0100-00190 until the balance of the credit is exhausted.

RESOLUTION 81-20: SUBMIT NJ DEPARTMENT OF TRANSPORTATION GRANT APPLICATION AND EXECUTE GRANT AGREEMENT (MANNINO DRIVE AND NICHOLS DRIVE)

WHEREAS, the Borough of Rockaway wishes to participate in the Transportation Trust Fund Application process; and

WHEREAS, the Mayor and Council have concerns over the condition of Mannino Drive and Nichols Drive.

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

BE IT FURTHER RESOLVED that the Mayor and Borough Engineer are hereby authorized to sign the grant agreements on behalf of the Borough of Rockaway and that their signatures constitute acceptance of the terms and conditions of the grant agreements and approve the execution of the grant agreements.

DATE: May 28, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Thomas Mulligan, Mayor

CERTIFICATION

I, PATRICIA L. BUSSOW, Borough Clerk of the Borough of Rockaway, in the County of Morris, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Mayor and Council at a meeting held on May 28, 2020.

Patricia L. Bussow, RMC
Borough Clerk