

**MAYOR AND COUNCIL
REGULAR MEETING
JULY 9, 2020
6:00 PM**

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MINUTES: Regular Meeting May 28, 2020
 Regular Meeting June 11, 2020
4. COUNCIL REPORTS
5. REPORT OF ATTORNEY
6. REPORT OF MAYOR
7. REPORT OF ADMINISTRATOR
8. REPORT OF CLERK
9. CONSENT AGENDA: Resolutions
 - #105-20 Appoint Alice Cassara as Clerk/Typist
 - #106-20 Ratify Agreement with Teamsters Local 469 of NJ, IBT
 - #107-20 Award Contract (Emergency Services for Public Works)
 - #108-20 Appropriate Engineering Costs (Lakeside Drive Road Improvement)
 - #109-20 Appropriate Engineering Costs (Union Street Canal Phase II)
 - #110-20 Request Approval of Items of Revenue and Approp (Drunk Driving Enforcement)
 - #111-20 Joint Resolution Designating August 31 as “Overdose Awareness Day” in NJ
 - #112-20 Release Maintenance Bond (Block 1, Lots 57 and 58)
 - #113-20 Approve 2020-2021 Alcoholic Beverage License
10. ORDINANCES: Adoption
 - #10-20 Amend Chapter 169 Land Use Administration and Procedures
11. ORDINANCES: Introduction
 - #11-20 \$630,000/\$598,500 Supplemental Bond Ordinance (Fox Lake Dam)
 - #12-20 Authorize Long Term Tax Exemption Agreement (Block 73, Lot 65)
12. MEETING OPEN TO THE PUBLIC
13. CLOSED SESSION
14. ADJOURNMENT

RESOLUTION 105-20: RESOLUTION APPOINTING ALICE CASSARA AS CLERK/TYPIST

BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris and State of New Jersey, that Alice Cassara is hereby appointed to the position of Clerk/Typist and is hereby employed by the Borough of Rockaway at salary within the salary ordinance, effective Monday, July 6, 2020.

RESOLUTION 106-20: RATIFY AGREEMENT BETWEEN BOROUGH OF ROCKAWAY AND TEAMSTERS LOCAL 469 OF NJ, IBT

WHEREAS, the Borough of Rockaway (“Borough”) and the Teamsters Local 469 (“Teamsters”) have conducted negotiations for a Collective Bargaining Agreement; and

WHEREAS, the terms and conditions negotiated and agreed to by the parties have been incorporated into an Agreement between the Borough and the Teamsters; and

WHEREAS, the Borough desires to ratify the Agreement for the period of January 1, 2019 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council ratifies and authorizes the Mayor to sign the Agreement between the Borough of Rockaway and Teamsters Local 469 of NJ, IBT for the period of January 1, 2019 through December 31, 2023.

BE IT FURTHER RESOLVED that the Borough Clerk is directed to send the executed Memorandum of Agreement to the Teamsters Local 469 of NJ, IBT.

RESOLUTION 107-20: AWARD CONTRACT (EMERGENCY SERVICES FOR PUBLIC WORKS)

WHEREAS, the Department of Public Works has identified a need for backup services in the event assistance is required for emergency roadwork or water main breaks; and

WHEREAS, a diligent attempt to obtain quotations for such services was made by the Superintendent, Department Public Works, with the only responsive quotation being received from Carner Bros., P.O. Box 116, 10 Steel Court, Roseland, NJ 07068 (973-226-1840); 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; 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, that a contract to supply manpower and equipment for backup emergency services (i.e., roadwork or water main breaks) is hereby awarded to Carner Bros., P.O. Box 116, 10 Steel Court, Roseland, NJ 07068 (973-226-1840) as specified by quote dated June 26, 2020, with the following prices valid July 1, 2020 through July 1, 2023.

<u>Per Crew (3 men, truck, and machine):</u>	
Regular working hours Monday-Friday, 7 a.m. - 3:30 p.m.	\$4,500.00 per working 8-hour day
Nights and weekends	Time and a half, 8-hour minimum
Holidays	Double time, 8-hour minimum

RESOLUTION 108-20: APPROPRIATE ENGINEERING COSTS (LAKESIDE DRIVE ROAD IMPROVEMENT PROJECT)

WHEREAS, the Superintendent, Department of Public Works, and the Borough Engineer have determined that certain repairs, including minor driveway apron reconstruction, curb repair, drainage structure reconstruction and inlet upgrades roadway base repair, milling, resurfacing and restriping of Lakeside Drive, are necessary; and

WHEREAS, the Borough received NJDOT Local Aid funding in the amount of \$325,000.00 for the project; and

WHEREAS, the Borough Engineer submitted a proposal dated January 14, 2020 identifying the engineering and services that are anticipated for the Lakeside Drive Road Improvement Project, including topographic survey and basemap preparation, conceptual layout of realigned intersection, new right-of-way and temporary grading easements, basic design services, bidding and award services, contract management and coordination services, construction stakeout, and full-time construction inspection services to maintain compliance with the design plans and specifications to complete the project; 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, that the amount appropriated for engineering costs for the Lakeside Drive Road Improvement Project, including basemap preparation, basic design services, bidding and award services, contract management and coordination services, and full-time construction inspection services to maintain compliance with the design plans and specifications to complete the project shall not exceed \$78,000.00.

RESOLUTION 109-20: APPROPRIATE ENGINEERING COSTS (UNION STREET CANAL PHASE II)

WHEREAS, there exists a need for the removal of silt and debris buildup along a section of the old canal located east of Union Street within Borough owned property (Block 14, Lot 24) and the reconstruction of the existing drainage pipe headwall; and

WHEREAS, the Borough Engineer has submitted a proposal dated January 31, 2019 and revised December 20, 2019 for the engineering services associated with the NJDEP Permitting Pre-Application Meeting, NJDEP Permitting Application, Construction Ready Documents, Bidding and Award, and Contract Management and Construction Inspection; 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, that the amount appropriated for engineering costs to Paul W. Ferriero, Ferriero Engineering, Inc., 180 Main Street, P.O. Box 571, Chester, NJ 07930 for the removal of silt and debris buildup along a section of the old canal located east of Union Street within Borough owned property (Block 14, Lot 24) and the reconstruction of the existing drainage pipe headwall, including: NJDEP Permitting Pre-Application Meeting, NJDEP Permitting Application, Construction Ready Documents, Bidding and Award, and Contract Management and Construction Inspection, is not to exceed \$45,000.00.

RESOLUTION 110-20: REQUEST APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87 (DDEF)

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Rockaway, in the County of Morris, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$83.35, which is now available from Drunk Driving Enforcement Fund in the amount of \$83.35.

BE IT FURTHER RESOLVED, that the like sum of \$83.35 is hereby appropriated under the caption Drunk Driving Enforcement Fund; and

RESOLUTION 111-20: A JOINT RESOLUTION DESIGNATING AUGUST 31 OF EACH YEAR AS "OVERDOSE AWARENESS DAY" IN NEW JERSEY

WHEREAS, drug addiction is a chronic disease, characterized by compulsive or difficult to control drug use despite harmful consequences; and

WHEREAS, drug addiction is seen by both the Centers for Disease Control and the World Health Organization as a fast-growing epidemic that can all too easily lead to overdose and death; and

WHEREAS, in 2018, 67,367 individuals died from drug overdoses in the United States; and

WHEREAS, in New Jersey alone, 2,900 people died from drug overdoses in 2018; and

WHEREAS, furthermore, for every drug overdose that results in death, there are many more nonfatal overdoses, each taking an emotional and economic toll on the individual, their family, and the community at large; and

WHEREAS, drug addiction can fuel feelings of shame, guilt, embarrassment, depression, and hopelessness, causing individuals to resist seeking treatment and support; and

WHEREAS, Overdose Awareness Day is a global event held on August 31 of each year that aims to raise awareness of drug overdoses, reduce the stigma of a drug-related death, and to acknowledge the grief felt by families and friends remembering those who have died or had a permanent injury as a result of a drug overdose; and

WHEREAS, to further the goals of Overdose Awareness Day, all flags throughout the State should be flown at half-staff for the day's duration; and

WHEREAS, recognizing Overdose Awareness Day in New Jersey sends a strong message to former or current substance users, namely, that they are valued, and that overdose death is preventable.

NOW, THEREFORE, BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey:

1. August 31 of each year shall be designated as "Overdose Awareness Day" in New Jersey to raise awareness of overdose and reduce the stigma of a drug-related death.
2. The Governor is respectfully requested to order flags be flown at half-staff and to issue a proclamation calling upon public officials and the citizens of this State to observe "Overdose Awareness Day" with appropriate activities and programs each year.
3. This joint resolution shall take effect immediately.

STATEMENT

This resolution designates August 31 of each year as "Overdose Awareness Day" in New Jersey;

Drug addiction is a chronic disease, characterized by compulsive or difficult to control drug use despite harmful consequences, and is seen by both the Centers for Disease Control and the World Health Organization as a fast-growing epidemic that can all too easily lead to overdose and death. In 2018, 67,367 individuals died from drug overdoses in the United States, while in New Jersey alone that year, 2,900 people died from drug overdoses. Furthermore, for every drug overdose that results in death, there are many more nonfatal overdoses, each taking an emotional and economic toll on the individual, their family, and the community at large.

Drug addiction can fuel feelings of shame, guilt, embarrassment, depression, and hopelessness, which can cause individuals to resist seeking treatment and support. Overdose Awareness Day is an international event held on August 31 of each year that aims to raise awareness of drug overdoses, reduce the stigma of a drug-related death, and to acknowledge the grief felt by families and friends remembering those who have died or had a permanent injury as a result of a drug overdose. To further the goals of Overdose Awareness Day, all flags throughout the State should be flown at half-staff for the day's duration. Recognizing Overdose Awareness Day in New Jersey sends a strong message to former or current substance users, namely, that they are valued, and that overdose death is preventable.

RESOLUTION 112-20: RELEASE MAINTENANCE BOND (BLOCK 1, LOTS 57 AND 58)

WHEREAS, R.P.C., Inc., Petroleum Markers, 6 Emery Avenue, Suite 1, Randolph, NJ 07869 deposited \$6,000.00 to cover the maintenance bond required by the Borough Engineer for improvements related to an Application for Tree Removal at 33-35 Hibernia Avenue (known as Block 1, Lots 57 and 58); and

WHEREAS, the maintenance bond was to be held for two years from the date of the substantial completion of the improvements, or June 14, 2017; and

WHEREAS, the Borough Engineer has inspected the improvements and recommended the release of the maintenance bond posted by Rockaway Three Investors, Inc.; and

WHEREAS, the Mayor and Council of the Borough of Rockaway concur with the recommendation of the Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway, that the Treasurer is hereby authorized to refund the maintenance bond in the amount of \$6,000.00 to R.P.C., Inc., Petroleum Markers, 6 Emery Avenue, Suite 1, Randolph, NJ 07869 related to an Application for Tree Removal.

RESOLUTION 113-20: APPROVE 2020-2021 ALCOHOL BEVERAGE CONTROL LICENSES

WHEREAS, the following named applicants have duly filed applications for the Class "C" Retail licenses known as Plenary Retail Consumption Licenses, for the period from July 1, 2020 to June 30, 2021:

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>PLACE OF BUSINESS</u>
1434-33-004-004	Skat Inc. t/a Shenanigans	75 Maple Avenue Rockaway, NJ 07866

and;

WHEREAS, the Director of the Division of Alcoholic Beverage Control has caused to be advertised in a newspaper in each County, a General Notice of Intention to apply for said Licenses.

NOW, THEREFORE, BE IT RESOLVED that the Licenses under Class "C" Retail Licenses, known as Plenary Retail Consumption Licenses, be and the same are hereby granted as to each of the above named applicants.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the License under Class "C" Retail Licenses, known as Plenary Retail Distribution Licenses, be and the same is granted to the above named applicant.