

MAYOR AND COUNCIL
REGULAR MEETING AGENDA
OCTOBER 22, 2020
6:30 PM

Public notice is hereby given that the regular meeting of the Mayor and Council of the Borough of Rockaway previously scheduled for 6:30PM, to take place in the Community Center, 21-25 Union Street, Rockaway, NJ 07866, will now be held remotely via Zoom Webinar using either the link or telephonic information provided below. Formal action will be taken.

The meeting agenda and any document that would be made available to members of the public in hard copy at the time of the meeting will be available on the Borough's website, www.rockawayborough.org forty-eight (48) hours in advance of the meeting.

Public comments may be made at the time of the meeting or submitted in advance. In advance of the meeting, members of the public are welcomed to submit questions or comments by electronic mail or in written letter form. Comments submitted via email should be sent to comments@rockawayborough.org. Comments submitted in letter form should be sent to Kimberly Cuspilich, Acting Borough Clerk, 1 East Main Street, Rockaway, NJ 07866. All such questions or comments must include the name and address of the submitter and must be received by the Acting Borough Clerk no later than 4:30 pm on the day prior to the scheduled meeting.

Participation for this meeting will be offered via Zoom Webinar or by telephone as follows:

You are invited to a Zoom webinar.

When: Oct 22, 2020 06:30 PM Eastern Time (US and Canada)

Topic: Mayor and Council Meeting

Please click the link below to join the webinar:

<https://zoom.us/j/93658655671?pwd=NnVMZlkyTVdHVGRZVTRmNTljb21YQT09>

Passcode: 078071

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799 or +1 346 248 7799 or
+1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 936 5865 5671

Passcode: 078071

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. PRESENTATION/DISCUSSION Borough Auditors/Bond Counsel
4. APPROVAL OF MINUTES Regular Meeting September 10, 2020
5. COUNCIL REPORTS
6. REPORT OF ATTORNEY
7. REPORT OF MAYOR
8. REPORT OF ADMINISTRATOR
9. REPORT OF CLERK

10. CONSENT AGENDA

- #151-20 Grant Extended Leave of Absence (DPW Laborer)
- #152-20 Resignation of DPW Worker
- #153-20 Request Approval of Items of Revenue and Appropriation (Safe and Secure)
- #154-20 Applicant's Resolution Local Government Emergency (CRF) Grant
- #155-20 Authorize Change Order No. 1 (Chestnut Terrace Bridge Water Main Relocation)
- #156-20 Establishing Rules of Conduct and Decorum for Public Meetings
- #157-20 Authorizing an Increase of the Bid Threshold to \$44,000.00
- #158-20 Bond Resolution (\$6.5M GI Bonds Combination)
- #159-20 Bond Resolution (Form & Sale)
- #160-20 Bond Resolution (\$5M Water Utility Bonds Combination)
- #161-20 Authorizing the Adoption of the 2020 Morris County Hazard Mitigation Plan
- #162-20 Authorize a Utility Engineering and Construction Agreement with NJDOT
- #163-20 Authorize a Right of Access Agreement with GZA

11. ORDINANCES, ADOPTION

- #14-20 \$500,000 Reappropriating Bond Ordinance (Water Main Improvements)

12. ORDINANCES, INTRODUCTION

- #15-20 \$1,270,000 Refunding Bond Ordinance

13. MEETING OPEN TO THE PUBLIC

14. CLOSED SESSION

15. ADJOURNMENT

RESOLUTION 151-20: GRANT LEAVE OF ABSENCE EXTENSION FOR FRANK RODIMER

WHEREAS, Frank Rodimer was granted a leave of absence from his duties as DPW Laborer from March 30, 2020 through September 21, 2020; and

WHEREAS, Frank Rodimer has requested an extension of his leave of absence through and including November 4, 2020; and

WHEREAS, Section 61-80.A of the Code of the Borough of Rockaway provides that employees may be granted a personal leave of absence for up to six months and may be extended up to an additional 6 months by resolution of the Mayor and Council if the leave does not cause undue operational disruption.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, that Frank Rodimer has shown good cause and is hereby granted an extension of his leave of absence through and including November 4, 2020 pursuant to Section 61-80.A of the Code of the Borough of Rockaway.

RESOLUTION 152-20: RESIGNATION OF JAY LEONARD

WHEREAS, the Borough of Rockaway has received a letter of resignation from Jay Leonard from his position as DPW Laborer to be effective October 9, 2020; and,

WHEREAS, the Mayor and Council express their appreciation of the work performed by Mr. Leonard during his time with the Borough of Rockaway.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council accepts the resignation of Jay Leonard from the position listed above.

RESOLUTION 153-20: REQUEST APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87 (SAFE AND SECURE COMMUNITIES PROGRAM)

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 \$14,703.50, which is now available from Safe and Secure Communities Program in the amount of \$14,703.50.

BE IT FURTHER RESOLVED that the like sum of \$14,703.50 is hereby appropriated under the caption Safe and Secure Communities Program; and

BE IT FURTHER RESOLVED that the above is the result of additional funds in the amount of \$14,703.50, bringing the total budgeted amount to \$29,407.00 for the Safe and Secure Communities Program.

RESOLUTION 154-20: APPLICANT'S RESOLUTION LOCAL GOVERNMENT EMERGENCY FUND (CRF) GRANT

WHEREAS, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

WHEREAS, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

WHEREAS, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

WHEREAS, the Department of Community Affairs (“DCA”), through the Division of Local Government Services (“DLGS” or “Division”), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the “LGEF” or “Program”), provided through an allocation of the State of New Jersey’s CARES Act Coronavirus Relief Fund (CRF Funds); and

WHEREAS, counties and municipalities excluded from the federal government’s direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

WHEREAS, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

WHEREAS, LGEF Grants exist to support costs incurred as part of a local unit’s response to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Rockaway, that the Borough of Rockaway will apply for a LGEF Grant in the amount of \$83,645.00.

RESOLUTION 155-20: AUTHORIZE CHANGE ORDER NO. 1 AWARD PROFESSIONAL SERVICE CONTRACT (CHESTNUT TERRACE BRIDGE WATER MAIN RELOCATION)

WHEREAS, on August 8, 2019 a Professional Service Contract for the Chestnut Terrace Bridge Water Main Relocation project was awarded to Ferriero Engineering, Inc., 180 Main Street, Chester, NJ 07930 (908-879-6209) in an amount not to exceed \$17,000.00; and

WHEREAS, the duration of the project far exceeded the anticipated time frame and further supervision was necessary to ensure the quality of materials used; and

WHEREAS, the procedures for this change order are in compliance with N.J.A.C. 5:34-48 of the regulations governing Local Public Contracts; and

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

NOW, THEREFORE, BE IT RESOLVED, that Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey, hereby authorize and approve the execution of Change Order No. 1 in an amount not to exceed \$17,569.63 to the contract awarded to Ferriero Engineering, Inc., 180 Main Street, Chester, NJ 07930 (908-879-6209), in the amount not to exceed \$17,000.00 for the professional services of a specialized engineer in connection with necessary Chestnut Terrace Bridge Water Main Relocation, thereby increasing the total cost of this contract to \$34,569.63.

RESOLUTION 156-20 ESTABLISHING RULES OF CONDUCT AND DECORUM FOR PUBLIC MEETINGS

WHEREAS, a majority of Americans believe that our society is increasingly uncivil and this problem is particularly acute and particularly detrimental on a national, state and local political arena as work threatens government’s ability to function democratically and effectively; and

WHEREAS, across the nation many groups have adopted policies and rules to enhance civility and decorum in public meetings; and

WHEREAS, in keeping with this national trend, many municipalities have adopted policies to promote civility and maintain decorum at local public meetings; and

WHEREAS, in defining characteristics of the Borough of Rockaway includes its commitment to the democratic process, individual rights of expression, robust debate and tolerance for disparate views; and

WHEREAS, the Borough of Rockaway, its Mayor and Council as well as its Boards, Commissions and other public bodies all convene public meetings to address controversial issues that engender passionate and often conflicting opinions; and

WHEREAS, an atmosphere of instability and disrespect at these meetings can stifle participation and debate, threaten the quality of decisions and undermine the local democratic process; and

WHEREAS, adopting rules of decorum applicable to all public meetings will ensure that civic engagement and local democracy continue to flourish in 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, as follows:

1. General. Any person may address the Mayor and Council of the Borough of Rockaway on any subject of interest to the Borough of Rockaway at a public meeting.
2. Manner of Addressing the Mayor and Council.
 - a. No person shall be permitted to address the Council without first being recognized by the Mayor or such member of the Council designated to preside over the meeting in the absence of the Mayor.
 - b. Upon recognition, each person wishing to address the Council shall state, for the record in an audible tone, their name and address, the subject they wish to discuss and, if applicable, the person or persons they are representing.
 - i. Those physically present in the meetings chambers shall promptly leave the seating area and come up to the podium or area designated when addressing the Council.
 - ii. In the event of a public meeting that is held telephonically and/or remotely or in which members of the public may elect to participate in-person or by telephone or remote option, public comments may be submitted in advance of the meeting by email or written letter to the Borough Clerk. Any comments submitted in advance of the meeting must be received by the Borough Clerk no later than 10:00 a.m. on the date of the meeting in order to be read into the record at the time of the meeting. All public comments properly received in advance of the meeting will be read aloud into the record during the portion of the meeting reserved for public comment and addressed in the normal course.
 - c. All comments, questions and remarks shall be addressed to the Council generally and shall not be addressed to the Mayor or member of the Council individually, or any Borough employee, without permission of the Mayor or Council member presiding over the meeting and, if applicable, the Council member to be addressed.
 - d. No person, other than the Mayor, members of the Council and the person having the floor shall be permitted to enter into any discussion without permission of the Mayor or member of the Council presiding over the meeting in the absence of the Mayor.
 - e. All public comments, questions and remarks, whether made in-person, telephonically, remotely or submitted in writing in advance of the meeting, shall be limited to three (3) minutes.
 - i. In order to expedite discussion and to avoid repetitious presentations, whenever any group of persons is to address the Council on the same subject, the Mayor or Members of the Council presiding over the meeting, may request that a spokesperson be chosen by the group to address the Council; and, if additional matters are to be presented by any other members of the same group, to limit the number of persons addressing the Council.
 - ii. The same time limitation shall apply to the reading of any public comments submitted in advance of the meeting, which shall be read from the beginning, until such time as the time limit is reached. As with in-person public comments,

duplicative written comments may be passed over, but will nonetheless be noted for the record with the content summarized.

iii. comments that are duplicative

f. After a motion has been made to close the public hearing on any ordinance or the public comment portion of the meeting, no member of the public shall be permitted to address the Council from the audience on any matter under consideration without first securing permission to do so.

3. Decorum

a. Any member of the public making comments, or acting in a manner, that is disruptive the orderly conduct of any meeting shall be called to order by the Mayor or Council member presiding over the meeting. Disruptive comments and actions shall include sustained inappropriate statements and behaviors, such as, but not necessarily limited to, profanity, threats, slanderous comments, yelling, shouting, whistling, feet stamping, intentional or repeated interruptions and other actions which disrupt, disturb, obstruct or interfere with the orderly conduct of any meeting.

b. If, upon being called to order, such person continues disrupt the meeting, the Mayor or Council member presiding over the meeting may order the person to leave the meeting. If such person refuses to remove themselves from the meeting, the Mayor or Council member presiding over the meeting may have the person removed by the police.

c. In the event such person is participating in the meeting telephonically or remotely, the Mayor or Council members presiding over the meeting may direct the Borough Clerk or appropriate staff to mute or continue muting the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the portions of the meeting open to public comments or removed from the telephonic or remote meeting. A member of the public who continues to be disruptive after being called to order may be muted while other members of the public are allowed to proceed with their questions and comments. If time permits, the disruptive individual will be allowed to speak after all other members of the public have been given the opportunity to make comment. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the public meeting, or removed from the public meeting.

RESOLUTION 157-20 AUTHORIZING AN INCREASE OF THE BID THRESHOLD TO \$44,000

WHEREAS, pursuant to N.J.S.A. 52-34-7, the State Treasurer has adjusted the bid threshold for awarding contracts pursuant to the Local Public Contract Law and has given local contracting units the ability to increase the bid threshold up to \$44,000 with a Qualified Purchasing Agent; and

WHEREAS, the Borough has executed an interlocal service agreement with the Borough of Wharton with respect to the appointment of a Qualified Purchasing Agent.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey hereby increases its bid threshold to \$44,000.

RESOLUTION 158-20 PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS, SERIES 2020, OF THE BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$6,502,622 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Borough of Rockaway, in the County of Morris, New Jersey (the "Borough"), authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds, Series 2020, in the aggregate principal amount of \$6,502,622 (the "Bonds").

Section 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided and the bond ordinances authorizing the Bonds described by reference to the number, the improvement description, the date of adoption and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Bond Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$545,210	#12-15	Various capital improvements, finally adopted July 9, 2015.	26.05 years
\$1,937,642	#14-16	Various capital improvements, finally adopted September 8, 2016.	17.99 years
\$746,643	#10-17	Various capital improvements, finally adopted June 22, 2017.	10.65 years
\$1,253,577	#6-18	Various capital improvements, finally adopted June 28, 2018.	12.94 years
\$751,300	#12-19	Various capital improvements, finally adopted July 11, 2019.	7.69 years
\$669,750	#06-20	Various capital improvements, finally adopted June 11, 2020.	12.80 years
\$598,500	#11-20	Fox Lake Dam repairs and improvements, finally adopted August 13, 2020.	15 years

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

- a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 14.84 years.
- b. The Bonds of the combined issue shall be designated "General Improvement Bonds, Series 2020" and shall mature within the average period of usefulness herein determined.
- c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- a. None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.
- b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. This resolution shall take effect immediately.

RESOLUTION 159-20 DETERMINING THE FORM AND OTHER DETAILS AND PROVIDING FOR THE DETERMINATION OF OTHER TERMS OF NOT TO EXCEED \$10,620,162 GENERAL OBLIGATION BONDS, SERIES 2020, CONSISTING OF \$6,502,622 GENERAL IMPROVEMENT BONDS, SERIES 2020, AND \$4,117,540 WATER UTILITY BONDS, SERIES 2020, OF THE BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE MORRIS COUNTY IMPROVEMENT AUTHORITY.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS (not less than 2/3 of all members thereof affirmatively concurring):

Section 1. The General Improvement Bonds of the Borough of Rockaway, in the County of Morris, New Jersey (the "Borough"), referred to and described in a resolution of the Borough adopted on October 22, 2020, and entitled, "Resolution Providing for the Combination of Certain Issues of General

Improvement Bonds, Series 2020, of the Borough of Rockaway, in the County of Morris, New Jersey, Into a Single Issue of Bonds Aggregating \$6,502,622 in Principal Amount" and in the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "General Improvement Bonds, Series 2020" (the "General Improvement Bonds"), with such further designations as set forth in Section 6 hereof.

Section 2. The Water Utility Bonds of the Borough referred to and described in a resolution of the Borough adopted on October 22, 2020, and entitled, "Resolution Providing for the Combination of Certain Issues of Water Utility Bonds, Series 2020, of the Borough of Rockaway, in the County of Morris, New Jersey, Into a Single Issue of Bonds Aggregating \$4,117,540 in Principal Amount" and in the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "Water Utility Bonds, Series 2020" (the "Water Utility Bonds"; and together with the General Improvement Bonds, the "Bonds"), with such further designations as set forth in Section 6 hereof.

Section 3. The Bonds are hereby authorized to be sold to the Morris County Improvement Authority (the "Authority") at a purchase price determined by the parameters set forth below and otherwise consistent with the terms included in the application submitted by the Authority to the Local Finance Board in the Department of Community Affairs, State of New Jersey (the "Local Finance Board"), and approved by the Local Finance Board on October 14, 2020 (the "Application"):

- (a) the aggregate principal amount of the Bonds does not exceed \$10,620,162;
- (b) the true interest cost of the Bonds does not exceed an interest rate that would enable the Borough to issue the Bonds to the Authority and achieve the economic benefit (consisting of the AAA guaranty from the County of Morris, which is a higher credit rating than the current credit rating of the Borough) of financing through the Authority versus financing on its own;
- (c) the maturity structure or weighted average maturity for the Bonds is substantially similar to the structure submitted to and approved by the Local Finance Board with any adjustments recommended by the Authority's Underwriter or the Authority on the sale date designed to reduce the total costs of the borrowing of the Borough; and
- (d) all conditions described in the Application as submitted to the Local Finance Board for the sale of the Bonds are satisfied.

Section 4. The Bonds are hereby authorized to be sold and issued to the Authority in accordance with the terms of a bond purchase agreement to be entered into by and between the Authority and the Borough (the "Bond Purchase Agreement"). The Bonds may be issued in one or more series. The purchase price for the Bonds shall be as set forth in the Bond Purchase Agreement. The Mayor and the Chief Financial officer are each hereby authorized and directed, without further authorization, to enter into and execute the Bond Purchase Agreement on behalf of the Borough in the form satisfactory to McManimon, Scotland & Baumann, LLC, bond counsel to the Borough ("Bond Counsel"), upon the terms consistent with the parameters set forth in this resolution. Upon execution of the Bond Purchase Agreement, the signature of the Mayor or the Chief Financial Officer shall be conclusively presumed to evidence any necessary approvals for the sale and issuance of the Bonds. If the Chief Financial Officer, after consultation with the Authority, determines that the above parameters cannot be satisfied in the present market, the Bonds shall not be sold until such time as said parameters may be amended, in whole or in part, or a sale on different terms is otherwise approved by resolution of this Borough Council.

Section 5. (a) The Bonds shall be dated and shall bear interest at the interest rates per annum as the Chief Financial Officer shall determine.

(b) The Bonds shall be numbered and have such prefix as determined necessary by the Chief Financial Officer or as required by the Bond Purchase Agreement, and shall be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Borough as determined in the Bond Purchase Agreement.

(c) The General Improvement Bonds shall mature in the years 2021 through 2034, or such other years as may be determined by the Chief Financial Officer, and in the principal amounts as may be determined by the Chief Financial Officer and shall bear interest on the dates as may be determined by the Chief Financial Officer.

(d) The Water Utility Bonds shall mature in the years 2021 through 2040, or such other years as may be determined by the Chief Financial Officer, and in the principal amounts as may be determined by the Chief Financial Officer and shall bear interest on the dates as may be determined by the Chief Financial Officer.

(e) The Bonds shall be sold at such price or prices as the Chief Financial Officer shall determine.

(f) The Bonds may be subject to redemption prior to their stated maturities as determined by the Chief Financial Officer.

(g) The General Improvement Bonds shall be fourteen in number, with one certificate being issued for each year of maturity, and shall be numbered GIB-1 to GIB-14, inclusive. The Water Utility Bonds shall be twenty in number, with one certificate being issued for each year of maturity, and shall be numbered WUB-1 to WUB-20, inclusive. Both principal of and interest on the Bonds will be payable in lawful moneys of the United States of America. Each certificate will be registered in the name of the "Morris County Improvement Authority" unless otherwise specified in the Bond Purchase Agreement.

(h) Any other details that may need to be determined in connection with the sale and issuance of the Bonds shall be determined by the Chief Financial Officer.

Section 6. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to conform the Bonds to the requirements of the Bond Purchase Agreement:

[FORM OF BOND FOLLOWS]

REGISTERED

REGISTERED

NUMBER A. _____

\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF MORRIS

BOROUGH OF ROCKAWAY

B. _____

DATE OF ORIGINAL ISSUE:
_____, 2020

BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY (the "Borough"), hereby acknowledges itself indebted and for value received promises to pay to the:

MORRIS COUNTY IMPROVEMENT AUTHORITY (the "Authority"),
c/o _____ (the "Trustee")

the principal sums on the dates and in the amounts set forth on **Schedule A** attached hereto and made a part hereof and to pay interest on such sum from the DATE OF ORIGINAL ISSUE of this bond until payment in full at the interest rates per annum and in the amounts shown on **Schedule A** attached hereto and made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee on each _____ and _____ prior to each _____ and _____, respectively, commencing _____, 20____, in an amount equal to the interest accruing to each _____ and _____. This bond as to principal will be payable on _____ at the corporate trust office of the Trustee.

C. _____

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one, together with all other indebtedness of the Borough, is within every debt and other limit prescribed by such Constitution or statutes.

160-20 RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF WATER UTILITY BONDS, SERIES 2020, OF THE BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$4,117,540 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Borough of Rockaway, in the County of Morris, New Jersey (the "Borough"), authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of Water Utility Bonds, Series 2020, in the aggregate principal amount of \$4,117,540 (the "Bonds").

Section 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided and the bond ordinances authorizing the Bonds described by reference to the number, the improvement description, the date of adoption and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Bond Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$108,094	#11-15	Various improvements to the water utility, finally adopted July 9, 2015.	21.50 years
\$639,239	#15-16	Various improvement to the water utility, finally adopted September 8, 2016.	19.10 Years
\$705,737	#09-17	Various improvements to the water utility, finally adopted June 22, 2017.	15 years
\$1,206,470	#07-18	Various improvements to the water utility, finally adopted June 28, 2018.	38.25 years
\$1,098,000	#11-19	Various improvements to the water utility, finally adopted July 11, 2019.	19.08 years
\$360,000	#07-20	Various improvements to the water utility, finally adopted June 11, 2020.	30 years

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

- a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 25.01 years.
- b. The Bonds of the combined issue shall be designated "Water Utility Bonds, Series 2020" and shall mature within the average period of usefulness herein determined.
- c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- a. None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.
- b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. This resolution shall take effect immediately.

RESOLUTION 161-20 AUTHORIZING THE ADOPTION OF THE 2020 MORRIS COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE

WHEREAS, all jurisdictions within Morris County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Morris County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Morris County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

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

- 1) Adopts in its entirety, the 2020 Morris County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

RESOLUTION 162-20: RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A UTILITY ENGINEERING AND CONSTRUCTION AGREEMENT WITH THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION

WHEREAS, the State of New Jersey is about to undertake the design and construction of Rt. 46, Main St./Woodstone Rd. (CR644) to Rt. 287, ITS located in Rockaway Borough, Denville Township, Mountain Lakes Borough, and Parsippany Troy-Hills Township, Morris County; and

WHEREAS, the project may require the construction of new, and/or the protection, relocation and/or adjustment of facilities of the existing water and sewer system which is owned and operated by the utility; and

WHEREAS, the State of New Jersey Department of Transportation is requesting that the Borough of Rockaway execute a proposed Utility Engineering and Construction Agreement **UECA- 9- Rt 46, Main St to Rt. 287-148040** covering the understandings between the State of New Jersey Department of Transportation and the Borough of Rockaway for the verification, design, protection, and/or relocation of certain public works facilities in connection with the design and construction of the project; and

WHEREAS, the Superintendent of the Department of Public Works and the Borough Engineer have reviewed and recommended signing the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey that the Mayor and Acting Borough Clerk be authorized to sign Utility Engineering and Construction Agreement **UECA- 9- Rt 46, Main St to Rt. 287-148040**.

RESOLUTION 163-20: AUTHORIZING THE ADMINISTRATOR TO EXECUTE A RIGHT OF ACCESS AGREEMENT WITH GZA

WHEREAS, the Borough of Rockaway is the owner of the premises known and designated as Block 84, Lot 20 in Rockaway, New Jersey; and

WHEREAS, GZA, on behalf of Wyman-Gordon Company, is currently undertaking an environmental evaluation of the property known and designated as Block 84, Lot 7.01 on the Tax Map of the Borough of Rockaway, having a street address of 395 Franklin Avenue, Rockaway, New Jersey to address detected constituents in soil underground in accordance with the requirements of the New Jersey Department of Environmental Protection (“NJDEP”) and the Technical Requirements for Site remediation, N.J.A.C. 7:26D-1.1 (“Tech Regs”); and

WHEREAS, as part of the environmental evaluation and in order to comply with NJDEP’s Tech Regs, GZA needs access to the premises to conduct limited environmental testing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey that the Borough Administrator be authorized to sign the Right of Access Agreement with GZA.