

**MAYOR & COUNCIL
REGULAR MEETING
JANUARY 9, 2020
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 Thomas Mulligan presiding. Mayor Mulligan called the meeting to order at 7:30 p.m.

Mayor Mulligan 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 this date. Mayor Mulligan announced the location of the fire exits.

Councilmembers Present

Russell Greuter
Thomas Haynes
James Hurley
Patrick McDonald
Robert Smith - Council President

Councilmembers Absent

None

Borough Attorney Joseph J. Bell, Jr., Esq., was also present.

Everyone present participated in the salute to the flag.

PRESENTATION OF NOMINEES FOR COUNCIL VACANCY

Mayor Mulligan announced the nominees provided by the Republican Committee: Kim Rose, Tony Gebbia, and Melissa Burnside. The nominees in attendance were Ms. Rose and Ms. Burnside. Both were presented with several questions by the Council.

Council President Smith requested a brief closed session to discuss the nominations.

Upon motion by Council President Smith, seconded by Councilman Haynes, and adopted unanimously via voice vote, the following resolution was adopted:

RESOLUTION 29-20: CLOSE MEETING TO THE PUBLIC

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances do exist;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway in the County of Morris, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - Pending or Anticipated Litigation, Contract Negotiation, or Matters Falling Within Attorney-Client Privilege
 - Personnel (matter involving employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed at a public meeting)
 - Confidential Per Express Provision of Federal Law or State Statute
 - Release of Information Would Impair Right to Receive Federal Funds
 - Disclosure of Information Would Constitute Unwarranted Invasion of Individual Privacy
 - PBA Collective Bargaining Agreement Negotiations
 - Teamsters Collective Bargaining Agreement Negotiations
 - Purchase, Lease, or Acquisition of Real Property with Public Funds, or Investment of Public Funds
 - Tactics or Techniques to Protect Safety and Property of Public
 - Deliberations May Result in Imposition of Specific Civil Penalty

3. The minutes of the discussion shall be made public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
4. This resolution shall take effect immediately.

DATE: January 9, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Thomas Mulligan, Mayor

Mayor and Council went into closed session at 7:39 p.m. and resumed the public meeting at 7:43 p.m.

Mayor Mulligan called for nominations for member of the Council.

Councilman Greuter nominated Melissa Burnside, seconded by Councilman Haynes, to fill the council vacancy.

Upon motion by Councilman Hurley, seconded by Councilman McDonald, and carried unanimously via voice vote to close the nominations.

A motion was made by Council President Smith to appoint Melissa Burnside as Councilwoman to fill the unexpired term ending December 31, 2020, seconded by Councilman Haynes.

Roll Call: Ayes: Councilman Greuter, Councilman Haynes, Councilman Hurley, Councilman McDonald, Council President Smith

Nays:

Melissa Burnside was sworn in by Mayor Mulligan.

APPOINTMENTS

Mayor Mulligan announced the following appointments:

Standing Committees of Council:

Finance and License

Melissa Burnside, Member

Fire

Melissa Burnside, Chair

Public Safety

Melissa Burnside, Member

Council Liaison Appointments: (terms ending 12/31/20)

Board of Health:

Melissa Burnside

Library:

Melissa Burnside

Upon motion by Councilman Haynes, seconded by Councilman Hurley, and carried unanimously via voice vote to concur with Mayor Mulligan's appointments.

APPROVAL OF MINUTES

Upon motion by Councilman Hurley, seconded by Councilman Haynes, and carried unanimously upon voice vote, the minutes of the December 12, 2019 Regular Meeting were accepted as submitted.

PRESENTATION

Mayor Mulligan introduced Bob Flynn, the JCP&L representative for Rockaway Borough.

Mr. Flynn spoke about a program which includes increased vegetation management and installation of a trip saver (automated fuse cutout) device to decrease the duration of outages in areas with high instances of tree related outages.

COUNCIL/COMMITTEE REPORTS

Councilman Haynes - Personnel Committee

Public Works – An 8” water main was repaired on Crestwood Road with no issue. There were flooding issues on Burton Lane and the Borough Engineer is working to identify the cause. Water treatment piping project has been completed without issue. The Recreation Director and the Superintendent of Public Works met with Rockaway Township regarding the geese at Park Lake and the plan for the Spring. Christmas trees will be picked up until January 17th. The recycling flyer for 2020 will be mailed out by the end of the month.

Site Remediation Group has been retained by DEP to test our drinking water. The analyzed and reported compounds were below the regulatory detection limit. SRG will continue to provide data to DEP, but no remediation is required at this time.

Board of Education – Phyllis Alpaugh and Bill Stepka went to Trenton to meet with Local Finance Board; sale of bonds was approved.

Councilman Haynes requested a closed session to discuss personnel.

Upon motion by Councilman McDonald, seconded by Councilman Hurley, and carried unanimously upon voice vote, to accept the Personnel Committee report.

Councilman Hurley - Finance and License Committee

Payment of Bills - Upon motion by Councilman Hurley, seconded by Councilman Haynes, 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.

Per the Chief Financial Officer, we are now into the 2020 interim budget. The auditors will begin the 2019 audit on January 22nd.

Councilman Hurley reported that the 2020 Community Development Block Grant application has been submitted for the replacement of 10 fire hydrants and 3 street valves.

Councilman Hurley attended a capital project update with Borough Engineer, Chief Financial Officer and Department of Public Works Superintendent and provided an update.

Councilman Hurley attended the Municipal Alliance Committee meeting and reported that there are five very strong programs this year ranging in audience from adolescents to senior citizens.

The Historical Committee has four new members and either hosted or participated in over twenty-five events in 2019.

Upon motion by Councilman McDonald, seconded by Council President Smith, and carried unanimously upon voice vote, to accept the Finance and License Committee report.

Councilman McDonald - Ordinance Committee

The Recreation Director reported that the Ski Club registration is full and all payments have been processed. Track, Little League, and Soccer registration is under way. A potential Girl Scout project is being discussed for Donatoni Park.

Councilman McDonald mentioned that he would like to work with Councilwoman Burnside on the committee previously discussed to coordinate the efforts of the various committees, groups, and professionals in the Borough.

Upon motion by Councilman Haynes, seconded by Councilwoman Burnside, and carried unanimously upon voice vote, to accept the Ordinance Committee report.

Councilman Greuter - Public Safety Committee

Police Department - Since the last meeting, there have been 4 arrests and issued 21 summonses issued.

Upon motion by Council President Smith, seconded by Councilman Haynes, and carried unanimously upon voice vote, to accept the Public Safety Committee report.

Councilwoman Burnside - Fire Committee

Fire Department - The Fire Department scheduled a drill on January 29th, accepted the resignation of Tiffani Hamman and accepted the request of Benny Santiago to withdraw his letter of resignation and continue active duty.

Councilwoman Burnside shared a year-end report provided by the Fire Marshal.

Councilwoman Burnside will be planning a meeting with the Chief Financial Officer and the Treasurer of Library to review their budget.

Councilwoman Burnside mentioned that several surrounding towns have put ordinances in place to limit short term Airbnb rentals.

Upon motion by Council President Smith, seconded by Councilman McDonald, and carried unanimously upon voice vote, to approve the actions of the Fire Department and accept the Fire Committee report.

Council President Smith - Public Utility and Works Committee

Council President Smith was contacted regarding a possible Eagle Scout project; he will coordinate with the Recreation Director.

Council President Smith reported that two permits must be obtained in order to move forward with the Bioswale (Rain Garden) at Parks Lake. The estimated cost for preparation of these permits by the Borough Engineer would be \$10,000.00 - \$15,000.00.

The PNC Bank building has been purchased and the new owner will be utilizing the parking lot, which may cause a hardship for surrounding businesses. Council President Smith recommended adjusting parking permit fees, as well as adding flashing signs to bring attention to the crosswalks near the municipal parking lots.

Council President Smith requested that the Planning Board notify the Mayor and Council, as well as the Zoning Officer, when a project is approved.

Upon motion by Councilman McDonald, seconded by Councilwoman Burnside, and carried unanimously upon voice vote, to accept the Public Utility and Works Committee report.

ATTORNEY'S REPORT

An appraiser has been secured for the Fox Dam property and the appraisal should be completed within the next two weeks.

Progress is being made with the tax appeals; several are currently being withdrawn.

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

MAYOR'S REPORT

Mayor Mulligan suggested the compiling of a pitch book including all available commercial properties for distribution to developers, etc.

Mayor Mulligan requested that everyone check in with himself and the Clerk/Administrator prior to reaching out to the Attorney or other professionals to ensure that we are not incurring unnecessary costs.

Mayor Mulligan visited problem areas with the new Zoning Official.

Mayor Mulligan, Councilman Greuter, and Chief Pepperman met with a Senior Aid to Governor Murphy.

Upon motion by Council President Smith, seconded by Councilwoman Burnside, and carried unanimously upon voice vote, to accept the Mayor's report.

ADMINISTRATOR'S REPORT

The Administrator reported that the new website will be up and running very shortly.

The Interlocal Agreement with Wharton for a Qualified Purchasing Agent will be on the next agenda for approval; the Administrator will pull out of the previous agreement with Boonton Township.

The Construction Official resigned effective January 28, 2020. An ad will run on the League of Municipalities and notification of the opening will be sent to the Morris County Building Official's Association.

The Administrator mentioned the great progress made at the November meeting of the Ordinance Committee and requested another meeting be scheduled soon.

Upon motion by Councilman Hurley, seconded by Council President Smith, and carried unanimously upon voice vote, to accept the Administrator's report.

RESOLUTIONS (CONSENT AGENDA ITEMS)

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

RESOLUTION 18-20: AWARD CONTRACT (POLICE DEPARTMENT - VEHICLE MAINTENANCE)

WHEREAS, there exists a need for vehicle maintenance to the Police Department vehicles for 2020; and

WHEREAS, a diligent attempt to obtain several quotes was made by the Police Sergeant, with the lowest responsive bid being received from S&G Elite Auto, 62 West Main Street, Rockaway, NJ 07866 (973-343-6444); 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, to authorize the purchase of vehicle maintenance services from S&G Elite Auto, 62 West Main Street, Rockaway, NJ 07866 (973-343-6444) in an amount not to exceed \$82.00 per hour as per quote dated December 18, 2019.

DATE: January 9, 2020 BOROUGH OF ROCKAWAY
ATTEST: Patricia L. Bussow, Borough Clerk BY: Thomas Mulligan, Mayor

CERTIFICATION FOR AVAILABILITY OF FUNDS

I, Patricia Reiche, CFO/Treasurer, of the Borough of Rockaway, in the County of Morris, New Jersey, do hereby certify that funds in the amount of \$82.00 per hour are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

S&G Elite Auto, 62 West Main Street, Rockaway, NJ 07866
For the purpose of: Vehicle Maintenance to the Police Department Vehicles for 2020
The funds are available contingent upon the adoption of the 2020 Temporary Budget and 2020 Municipal Budget
Budget Line Item#: 01-201-26-301-225

DATE: January 9, 2020 BY: Patricia Reiche, CFO/Treasurer

RESOLUTION 19-20: REFUND PERFORMANCE BOND (72 MOUNTAIN ROAD)

WHEREAS, on March 23, 2018, Lusardi Innovations, 14 Darlington Drive, Rockaway, NJ 07866, submitted an application for road opening permit and posted a \$1,500.00 performance bond for work at 72 Mountain Avenue, Rockaway, NJ 07866; and

WHEREAS, on March 23, 2018, Lusardi Innovations, 14 Darlington Drive, Rockaway, NJ 07866, also submitted an application for sewer service and posted a \$200.00 performance bond for work at 72 Mountain Avenue, Rockaway, NJ 07866; and

WHEREAS, the Borough Engineer has inspected the site and is satisfied that the work has been completed properly and has recommended the refund of the performance bond; and

WHEREAS, the Treasurer of the Borough of Rockaway has determined that \$1,700.00 is owed to Lusardi Innovations, 14 Darlington Drive, Rockaway, NJ 07866; and

WHEREAS, the Mayor and Council of the Borough of Rockaway concur with the recommendations 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 release the performance bond of \$1,700.00 posted by Lusardi Innovations, 14 Darlington Drive, Rockaway, NJ 07866.

DATE: January 9, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Thomas Mulligan, Mayor

RESOLUTION 20-20: REFUND PERFORMANCE BOND (370 WEST MAIN STREET)

WHEREAS, on December 23, 2018, Adrian Demick, 370 West Main Street, Rockaway, NJ 07866, submitted an application for road opening permit and posted a \$1,000.00 performance bond for work at Farview Drive, Rockaway, NJ 07866; and

WHEREAS, the Borough Engineer has inspected the site and is satisfied that the work has been completed properly and has recommended the refund of the performance bond; and

WHEREAS, the Treasurer of the Borough of Rockaway has determined that \$1,000.00 is owed to Adrian Demick, 370 West Main Street, Rockaway, NJ 07866; and

WHEREAS, the Mayor and Council of the Borough of Rockaway concur with the recommendations 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 release the performance bond of \$1,000.00 posted by Adrian Demick, 370 West Main Street, Rockaway, NJ 07866.

DATE: January 9, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Thomas Mulligan, Mayor

RESOLUTION 21-20: AWARD CONTRACT (DPW - DUMP TRUCK)

WHEREAS, there exists a need to obtain a dump truck with plow/hitch salter for the Department of Public Works; and

WHEREAS, the Middlesex Regional Educational Services Commission Cooperative Pricing System contract ESCNJ 17/18-30 includes the purchase of a 2020 Dump Truck with Associated Equipment from Tony Sanchez Ltd., 1685 US Route 46, Ledgewood, NJ 07852; 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 it does hereby authorize the purchase of a 2020 Dump Truck with Associated Equipment from Tony Sanchez Ltd., 1685 US Route 46, Ledgewood, NJ 07852 for use by the

Department of Public Works, under Middlesex Regional Educational Services Commission Cooperative Pricing System contract ESCNJ 17/18-30 in the amount not to exceed \$91,313.33.

DATE: January 9, 2020 BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk BY: Thomas Mulligan, Mayor

CERTIFICATION FOR AVAILABILITY OF FUNDS

I, Patricia Reiche, CFO/Treasurer, of the Borough of Rockaway, in the County of Morris, New Jersey, do hereby certify that funds in the amount not to exceed \$91,313.33 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Tony Sanchez Ltd., 1685 US Route 46, Ledgewood, NJ 07852
For the purpose of: Purchasing a 2020 Dump Truck with Associated Equipment
The funds are available in General Capital Fund
Budget Line Item#: 04-215-55-952-030

DATE: January 9, 2020 BY: Patricia Reiche, CFO/Treasurer

RESOLUTION 22-20: AWARD CONTRACT (DPW – HVAC MAINTENANCE)

WHEREAS, there exists a need to obtain a contractor for maintenance of the Heating, Ventilation and Air Conditioning Systems (HVAC), at the Municipal Building, Police Station, Public Works office, Community Center, Library and Museum and duct cleaning services at the Police Station located at 33 Maple Avenue; and

WHEREAS, a diligent attempt to obtain several quotes was made by the Assistant Superintendent, Department of Public Works, with the lowest response being received from Reiner Group Inc., P.O. Box 1128, Fair Lawn, NJ 07410, (201-794-3700); 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 as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement in an amount not to exceed \$6,315.00 with Reiner Group Inc., P.O. Box 1128, Fair Lawn, NJ 07410, (201-794-3700) for maintenance of the Heating, Ventilation and Air Conditioning Systems (HVAC), for the period January 1, 2020 through December 31, 2020 at the Municipal Building, Police Station, Public Works office, Community Center, Library and Museum, unscheduled repair work at \$120.00 per hour, and duct cleaning services at the Police Station located at 33 Maple Avenue.
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: January 9, 2020 BOROUGH OF ROCKAWAY

ATTEST: Patricia Bussow, Borough Clerk BY: Thomas Mulligan, Mayor

CERTIFICATION FOR AVAILABILITY OF FUNDS

I, Patricia Reiche, CFO/Treasurer, of the Borough of Rockaway, in the County of Morris, New Jersey, do hereby certify that funds in the amount not to exceed \$6,315.00 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Reiner Group Inc., P.O. Box 1128, Fair Lawn, NJ 07410
For the purpose of: HVAC Maintenance
The funds are available contingent upon the adoption of the 2020 Temporary Budget and 2020 Municipal Budget
Budget Line Item#: 01-201-26-310-213, 01-201-26-310-209, 01-201-26-303-200

DATE: January 9, 2020 BY: Patricia Reiche, CFO/Treasurer

RESOLUTION 23-20: AUTHORIZE MAYOR TO EXECUTE APPLICATION FOR FUNDING (MUNICIPAL ALLIANCE COMMITTEE)

WHEREAS, the Mayor and Council of the Borough of Rockaway, County of Morris, recognize the critical need for substance abuse prevention programs to combat increasing drug and alcohol abuse within our community; and

WHEREAS, the Mayor and Council of the Borough of Rockaway further recognize that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses within our community; and

WHEREAS, the County of Morris Department of Human Services administers the County Supplemental Funding Initiative through which the Rockaway Borough Municipal Alliance Committee is eligible to receive up to \$2,000.00 subject to the Borough guaranteeing the availability of funds for a required 50% cash match (i.e., up to \$1,000.00), which will be used for programs to combat drug and alcohol abuse.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey, to authorize the Mayor to execute the Application for Supplemental Funding and the Certification of Availability of Funds for the 50% cash match through which the Rockaway Borough Municipal Alliance Committee is eligible to receive up to \$2,000.00 for the 2020 funding cycle from the County of Morris.

DATE: January 9, 2020 BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk BY: Thomas Mulligan, Mayor

RESOLUTION 24-20: 2020 COMMUNITY DEVELOPMENT APPLICATION AUTHORIZATION

BE IT RESOLVED that the Mayor and Council of the Borough of Rockaway authorizes an application to the Morris County Community Development Block Grant (CDBG) Program for Hydrant Replacement described in the proposal. If awarded CDBG funds, the Borough of Rockaway shall implement the activities in a manner to ensure compliance with all applicable federal, state, and local laws and regulations.

DATE: January 9, 2020 BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk BY: Thomas Mulligan, Mayor

RESOLUTION 25-20: SUBMIT STRATEGIC PLAN FOR MUNICIPAL ALLIANCE GRANT

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey recognize that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Mayor and Council of the Borough of Rockaway further recognize that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council of the Borough of Rockaway have applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Morris.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Rockaway do hereby authorize the submission of a strategic plan for the Rockaway Borough Municipal Alliance grant for fiscal year 2021 in the amount of:

Alliance DEDR	\$9,256.00
Cash Match	\$2,314.00
In-Kind	\$7,006.00

The Borough of Rockaway Mayor and Council acknowledge the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

DATE: January 9, 2020 BOROUGH OF ROCKAWAY

ATTEST: Patricia I. Bussow, Borough Clerk BY: Thomas Mulligan, Mayor

RESOLUTION 26-20: TRANSFER 2019 OVERPAID TAX MONIES TO 2020

BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey to transfer 2019 overpaid tax monies to the 2020 tax year as follows:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Gray	79	1	\$1083.88

DATE: January 9, 2020 BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk BY: Thomas Mulligan, Mayor

RESOLUTION 27-20: 2020 COMMUNITY DEVELOPMENT APPLICATION - FAIR HOUSING RESOLUTION

WHEREAS, the Borough of Rockaway supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of the Borough of Rockaway to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Borough of Rockaway further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway that, within available resources, the Borough of Rockaway will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED that the Borough of Rockaway shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

BE IT FURTHER RESOLVED that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

DATE: January 9, 2020 BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk BY: Thomas Mulligan, Mayor

RESOLUTION 28-20: AWARD CONTRACT (AIR STRIPPER IMPROVEMENTS)

WHEREAS, on January 7, 2020, the Borough Clerk received two (2) bid proposals for Water Treatment Facility Air Stripper Improvements:

Rapid Pump & Meter Service Co. 285 Straight Street Paterson, NJ 07509 \$146,733.00	Ferraro Construction Corp 5 Park Drive Franklin, NJ 07416 \$266,805.00
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WHEREAS, the apparent low responsive base bid submitted by Rapid Pump and Meter Service Co. in the amount of \$146,733.00 complied with the bid specifications, and CP Engineers has recommended that a contract be awarded to the low responsive bidder, Rapid Pump and Meter Service Co.; 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 \$146,733.00 with Rapid Pump & Meter Service, 285 Straight Street, Paterson, NJ 07509, for Water Treatment Facility Air Stripper Improvements.
2. A copy of this resolution and the subject agreement shall be made available for inspection in the office of the Borough Clerk.

DATE: January 9, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk BY: Thomas Mulligan, Mayor

CERTIFICATION FOR AVAILABILITY OF FUNDS

I, Patricia Reiche, CFO/Treasurer, of the Borough of Rockaway, in the County of Morris, New Jersey, do hereby certify that funds in the amount not to exceed \$146,733.00 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Rapid Pump & Meter Service Co., 285 Straight Street, Paterson, NJ 07509
For the purpose of: Water Treatment Facility Air Stripper Improvements
The funds are available in Water Capital Outlay and Water Capital
Budget Line Item#: 07-203-55-707-548, 06-216-55-816-010

DATE: January 9, 2020

BY: Patricia Reiche, CFO/Treasurer

ORDINANCE NO. 01-20, Introduction & First Reading

**CALENDAR YEAR 2020
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

Councilwoman Burnside 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 February 13, 2020.

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

Roll Call: Ayes: Councilwoman Burnside, Councilman Greuter, Councilman Haynes, Councilman Hurley, Councilman McDonald, Council President Smith
Nays:
Abstain:

PUBLIC PORTION

Mayor Mulligan opened the meeting to the public.

Joyce Freiermuth, 99 East Flagge Street, spoke regarding zoning concerns with the anticipated purchase of the Park Lake School and the ongoing issues with the glass tinting business, as well as the parking fees for municipal lots.

Kathy Haake, 74 Rockaway Avenue, offered to assist in submitting an Open Space Grant for the property near Donatoni Park. Applications are due in June, so with the Mayor and Council's permission, Kathy will begin the process by reaching out to the land owner. Kathy also spoke about the Bioswale or Rain Garden at Park Lake.

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

CLOSED SESSION

Upon motion by Council President Smith, seconded by Councilman Haynes, and adopted unanimously upon call of the roll (or voice vote), the following resolution was adopted:

RESOLUTION 30-19: CLOSE MEETING TO THE PUBLIC

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances do exist;

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 - Personnel (matter involving employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed at a public meeting)
 - Confidential Per Express Provision of Federal Law or State Statute
 - Release of Information Would Impair Right to Receive Federal Funds
 - Disclosure of Information Would Constitute Unwarranted Invasion of Individual Privacy
 - PBA Collective Bargaining Agreement Negotiations
 - Teamsters Collective Bargaining Agreement Negotiations
 - Purchase, Lease, or Acquisition of Real Property with Public Funds, or Investment of Public Funds
 - Tactics or Techniques to Protect Safety and Property of Public
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3. The minutes of the discussion shall be made public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
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DATE: January 9, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Thomas Mulligan, Mayor

Mayor and Council went into closed session at 9:15 p.m. and resumed the public meeting at 9:42 p.m.

ADJOURNMENT

The meeting adjourned at 9:42 p.m.

Approved: As Submitted

Patricia L. Bussow, RMC, Borough Clerk

Date: January 23, 2020