

**MAYOR & COUNCIL  
REGULAR MEETING  
JUNE 25, 2020  
6:00 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 6:00 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 6:00 p.m. on this date. Mayor Mulligan announced the location of the fire exits.

Councilmembers Present

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

Councilmembers Absent

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

Everyone present participated in the salute to the flag.

APPOINTMENTS

Mayor Mulligan announced that he would like to appoint Brian Wickkiser as Patrolman, effective July 1, 2020; Mayor Mulligan swore in Brian Wickkiser as Patrolman.

CLOSED SESSION

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

**RESOLUTION 103-20: 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: June 25, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

Mayor and Council went into closed session at 6:22 p.m. and resumed the public meeting at 6:40 p.m.

APPROVAL OF MINUTES

Upon motion by Councilman Greuter, seconded by Councilman Hurley, and carried unanimously upon voice vote, the minutes of the June 4, 2020 Special Meeting and the June 11, 2020 Regular Meeting were approved.

COUNCIL/COMMITTEE COMMENTS

Councilman McDonald – Personnel Committee

*Personnel* – Councilman McDonald reported that he and Mayor Mulligan attended a staff meeting at Town Hall.

*Parks and Recreation* - Councilman McDonald reported that the fields are being prepped for reopening on July 6, 2020 under Covid-19 guidelines, and thanked the Department of Public Works for their assistance.

Councilman Hurley - Finance and License Committee

Councilman Hurley reported that the Land Use Board has recommended holding an informational meeting with neighbors prior to construction beginning on the new DPW garage.

Councilman Haynes – Public Utility and Works Committee

*Department of Public Works* – Councilman Haynes reported that the old fence has been removed at Smith Field, the recycling center is extremely busy, benches donated by DBO School will be used to replace those by the river, and road resurfacing will begin following July 4<sup>th</sup>.

Councilman Haynes reported that he and Mayor Mulligan met with the Department of Public Works and will meet again soon to address their 3-5 highest priority concerns.

Closed session requested for personnel.

Councilman Greuter - Ordinance Committee

Councilman Greuter reported that new patrolman has been hired by the Police Department.

Councilwoman Burnside - Fire Committee

*Health Department* – Councilwoman Burnside provided an update on Covid-19 statistics and reported that personal care establishments are open with restrictions.

Council President Smith - Ordinance Committee

Council President Smith reported that the Ordinance Committee meeting is being scheduled.

ATTORNEY'S REPORT

The Attorney reported that the Fox Lake Dam contract has been signed, payment is in escrow, and the Land Use Board is scheduled to approve the subdivision of the property on July 7<sup>th</sup>.

MAYOR'S REPORT

No report.

ADMINISTRATOR'S REPORT

The Administrator reported that Town Hall will reopen to the public on Monday with restrictions.

CLERK'S REPORT

The Acting Clerk provided an update on the July 7<sup>th</sup> Primary Election.

RESOLUTIONS (CONSENT AGENDA ITEMS)

Resolution 99-20 was pulled from the Consent Agenda; after further discussion it was tabled until the next meeting of the Mayor and Council.

Upon motion by Councilman Greuter, seconded by Councilman Hurley and carried unanimously upon call of the roll, Resolutions 94-20, 95-20, 96-20, 97-20, 98-20, 100-20, 101-20 and 102-20 were adopted.

**RESOLUTION 94-20: RESOLUTION STATING COMPLIANCE OF MAYOR AND COUNCIL WITH LOCAL FINANCE BOARD AUDIT REQUIREMENTS**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts, and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and:

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the Annual Audit entitled "General Comments" and "Recommendations"; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specially the sections of the Annual Audit entitled "General Comments" and "Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the Annual Audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52-27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rockaway, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

DATE: June 25, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 95-20: ADOPT CORRECTIVE ACTION PLAN**

**WHEREAS**, the Director of the Division of Local Government Services has formally directed all municipalities to adopt a Corrective Action Plan as part of their annual audit process; and

**WHEREAS**, this Corrective Action Plan shall be submitted to the Director of Local Government Services upon adoption of the Governing Body and it shall be kept on file with the Borough Clerk; and

**WHEREAS**, the Plan shall cover all audit findings and recommendations and be prepared in accordance with the Single Audit Act OMB Circular A-128 and Local Finance Notice 92-15; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Rockaway that it hereby approves the Corrective Action Plan for the 2019 Annual Audit, a copy of which will be available in the Borough Clerk's office.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution, including the Corrective Action Plan, be forwarded to the Director of Local Government Services.

DATE: June 25, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly L. Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 96-20: RESOLUTION AUTHORIZING COMPETITIVE CONTRACTING FOR LOGGER-BASED WATER LEAK DETECTION PROGRAM**

**WHEREAS**, PL 1999 c440 amended the Local Public Contract Law and created a new category of contracting called Competitive Contracting; and

**WHEREAS**, N.J.S.A 40A:11-4.3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in 40A-4.1 are desired to be contracted; and

**WHEREAS**, 40A:11-4.3(b) requires that the competitive contracting process shall be administered by a purchasing agency qualified pursuant to 40A:11-9, or by legal counsel of the contracting unit, or by an administrator of the contracting unit

**NOW, THEREFORE, BE IT RESOLVED**, that the Purchasing Agent be and is hereby authorized to initiate competitive contracting for the aforesaid project.

DATE: June 25, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 97-20: AWARD CONTRACT (DPW – ROAD RESURFACING)**

**WHEREAS**, there exists a need to mill and resurface various roads for the Department of Public Works; and

**WHEREAS**, the Morris County Cooperative Pricing Council contract includes hot mix asphalt and milling from authorized vendor Tilcon, New York, Inc., 9 Entin Road, Parsippany, NJ 07054 (973-366-7741); 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 hot mix asphalt and milling from Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 (973-366-7741), under Morris County Cooperative Pricing Council Co-Op Contract No. 6: Road Resurfacing, Cat A: Hot Mix Asphalt, Item 1 and Cat B: Milling of Hot Mix Asphalt, Item 1 for total amount not to exceed \$110,000.00.

DATE: June 25, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 98-20: AWARD CONTRACT (RECREATION – SMITH FIELD FENCING)**

**WHEREAS**, there exists a need to replace fencing at Smith Field; and

**WHEREAS**, a diligent attempt to obtain several quotes was made by the Recreation Director, with the lowest response being received from Hopatcong Fence Co., 105 Marne Road, Hopatcong, NJ 07843 (201-400-3575); 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**, that proper Borough officials are authorized and directed to execute a contract with Hopatcong Fence Co., 105 Marne Road, Hopatcong, NJ 07843 (201-400-3575), in the amount not to exceed \$18,500.00 for the purchase and installation of fencing at Smith Field.

DATE: June 25, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting 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 \$18,500.00 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Hopatcong Fence Co., 105 Marne Road, Hopatcong, NJ 07843 (201-400-3575)  
For the purpose of: Fence Replacement at Smith Field  
The funds are available in 2019 Capital Outlay & 2020 Capital Outlay  
Budget Line Item#: 01-203-36-472-201, 01-201-36-472-201

DATE: June 25, 2020

BY: Patricia Reiche, CFO/Treasurer

**RESOLUTION 99-20: RESOLUTION AUTHORIZING THE USE OF THE PUBLIC RIGHTS-OF-WAY BY PLANET NETWORKS, INC.**

**WHEREAS**, Planet Networks Inc. ("Planet Networks") is a provider of telecommunications services that is authorized by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout New Jersey; and

**WHEREAS**, Planet Networks has petitioned the municipality for consent to use the public rights-of-way to place its telecommunication facilities aerially on existing and new utility poles and/or in underground conduit; and

**WHEREAS**, the Federal Communications Commission has held that that "an effective prohibition [under the Telecommunications Act of 1996] occurs where a state or local legal requirement materially inhibits a provider's ability to engage in any of a variety of activities related to its provision of a covered service ... not only by rendering a service provider unable to provide an existing service in a new geographic area or by restricting the entry of a new provider in providing service in a particular area, but also by materially inhibiting the introduction of new services or the improvement of existing services." Declaratory Ruling and Third Report and Order, WT Docket No. 17-79; WC Docket No. 17-84, FCC-18-133A1, at para. 36, p. 15-16; and

**WHEREAS**, Planet Networks has or will enter into agreements with the utility companies for the use of their poles; and

**WHEREAS**, N.J.S.A. 48:3-19 provides that "[t]he consent of the municipality shall be obtained for the use by a person of the poles of '-another person unless each person has a lawful right to maintain poles in such street, highway or other public place;" and

**WHEREAS**, N.J.S.A. 27:16-6 provides, in part that "[t]he board of chosen freeholders shall not grant an easement, right of way, or use in, under or over, any portion of a county road in a municipality, unless the governing body of the municipality ... shall consent thereto;" and

**WHEREAS**, N.J.S.A. 46:17-8 provides that "any telegraph or telephone company organized under the laws of this or any other State, or of the United States may erect, construct and maintain the necessary poles, wires, conduits, and other fixtures for its lines, in, upon, along, over or under any public street, road or highway, upon first obtaining the consent in writing of the owner of the soil to the erection of such poles, and through, across or under any of the waters within this State and upon, through or over any other land, subject to the right of the owners thereof to full compensation for the same."

**WHEREAS**, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal agency; and

**WHEREAS**, it is in the best interests of the municipality and its citizens to grant consent to Planet Networks.

**NOW, THEREFORE, BE IT RESOLVED:**

1) That the governing body does hereby grant permission and authority to Planet Networks, Inc. to install fiber optic cables and related facilities on existing utility poles within the public right-of-way and to install new utility poles, upon the following terms and conditions:

- a) Planet Networks shall adhere to all applicable federal, State, and local laws in connection with its use of the public right-of-way.
- b) Planet Networks shall obtain any applicable permits in connection with the installation of its facilities;
- c) Planet Networks shall indemnify, defend and hold harmless the municipality, its officials, agents, and employees, from and against any claim of liability, damages or loss resulting in bodily injury or property damage arising out of Planet Network's use of the public right-of-way, except to the extent such loss, injury or property damage resulting from the acts or omissions of the municipality.
- d) Planet Networks shall procure and maintain, at its cost and expense, commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence and shall include the municipality as an additional insured on said insurance policy.
- e) Planet Networks shall be responsible for the repair of any damage to pavement or any structure arising from its construction, installation or maintenance of its facilities.
- f) Notwithstanding any provision contained herein, neither the municipality nor Planet Networks shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this consent.
- g) That the Mayor is hereby authorized to execute and the Clerk to attest to any other documents necessary to effectuate the terms of this resolution.

STATEMENT: This resolution authorizes and consents to Planet Networks, Inc.'s installation of fiber optic cables and related facilities on new and existing utility poles and conduits within the public rights-of-way.

DATE: August 13, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 100-20: REQUEST APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87 (CLEAN COMMUNITIES)**

**WHEREAS**, N.J.S.A. 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 \$694.36, which is now available from Clean Communities Fund in the amount of \$694.36.

**BE IT FURTHER RESOLVED**, that the like sum of \$694.36 is hereby appropriated under the caption Clean Communities; and

**BE IT FURTHER RESOLVED**, that the above is the result of additional funds in the amount of \$694.36, bringing the total budgeted amount to \$12,194.36 for the Clean Communities Fund.

DATE: June 25, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 101-20: AWARD PROFESSIONAL SERVICES CONTRACT (DPW - ACTIVATED CARBON UNIT PIPING REPLACEMENT)**

**WHEREAS**, there exists a need for professional services of a specialized engineer in connection with necessary rehabilitation of the activated carbon unit piping at the water treatment facility located at 21-25 Union Street; and

**WHEREAS**, said needs or certain specified professional services are to be rendered or performed by a person or persons authorized by law to practice a recognized profession whose practice is regulated by law within the meaning of N.J.S.A. 40A:11-2, et seq. as amended; and

**WHEREAS**, the performance of said professional services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal base of specialized training and study; as distinguished from general academic instruction or apprenticeship and training; and

**WHEREAS**, said professional services cannot reasonably be described by written specifications; and

**WHEREAS**, the Borough of Rockaway has a need to acquire said professional services as a contract without public advertising pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the services to be performed are "Professional Services" as defined in N.J.S.A. 40A:11-5(1)(a)(i) and therefore excepted from the Local Public Contracts Law requirements for competitive bidding; and

**WHEREAS**, CP Professional Services, 35 Sparta Avenue, Sparta, NJ 07871 (973-300-9003) has submitted a proposal for services in connection with the necessary rehabilitation of the activated carbon unit piping at the water treatment facility located at 21-25 Union Street at a cost not to exceed \$26,100.00; and

**WHEREAS**, a Certificate of 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. That the Borough of Rockaway, in accordance with the Local Public Contracts Law, hereby authorizes and approves the award of a professional services contract to CP Professional Services, 35 Sparta Avenue, Sparta, NJ 07871 (973-300-9003) at a cost not to exceed \$26,100.00 per proposal dated June 22, 2020; contract copies are on file in the Office of the Clerk and are incorporated herein by reference. Said contract is hereby ratified and confirmed, and upon passage of this Resolution, the Mayor and Borough Clerk be and the same are hereby authorized to enter into said contract.

2. That this Contract is awarded without competitive bidding as a professional services contract under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) because such service is a recognized profession licensed and regulated by law.
3. That this resolution shall take effect immediately.

DATE: June 25, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting 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 \$1,562,727.00 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Hutton Construction, LLC, 41 Village Park Road, Cedar Grove, New Jersey 07009

For the purpose of: Foxs Lake Dam Rehabilitation

The funds are available in General Capital Budget, General Capital CIF

Budget Line Item#: 04-215-55-811-080, 04-215-55-925-050, 04-215-55-946-060, 04-225-55-000-000

DATE: June 25, 2020

BY: Patricia Reiche, CFO/Treasurer

**ORDINANCE NO. 09-20, Public Hearing & Adoption**

On motion by Councilman McDonald and seconded by Councilman Hurley, to offer the following ordinance as read by title on second reading:

**ORDINANCE OF THE BOROUGH OF ROCKAWAY  
MAYOR AND COUNCIL  
MUNICIPAL AND WATER UTILITY SALARIES**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Rockaway in the County of Morris and State of New Jersey as follows:

**Section 1:**

The annual salaries or wages of the full-time officers and employees of the Borough of Rockaway and Water Utility shall be determined from time to time within the Minimum and Maximum Base Salary Range hereinafter established by the Mayor and Council.

**Section 2:**

The following positions shall have a Base Salary Range as noted:

<u>Position</u>	<u>Annual Salary Range</u>		
Borough Clerk	\$40,000	-	\$97,100
Administrator/Chief Financial Officer/Treasurer	\$40,000	-	\$133,600
Account Payable/Payroll Clerk	\$30,000	-	\$59,500
Tax Collector	\$40,000	-	\$61,000
Water/Sewer Clerk	\$30,000	-	\$52,800
Clerk/Typist	\$24,000	-	\$51,000
Receptionist/Cashier	\$20,000	-	\$41,000
Library Director	\$40,000	-	\$77,700
Superintendent of Public Works	\$45,000	-	\$103,500
Assistant Superintendent of Public Works	\$45,000	-	\$82,000
Public Works Foreman	\$31,500	-	\$63,500
Public Works Laborer	\$24,000	-	\$59,000
Water Foreman	\$31,500	-	\$74,000
Water Utility Laborer	\$24,000	-	\$66,500
Construction Clerk	\$20,000	-	\$36,000
Police Chief	\$112,408	-	\$146,500
Police Lieutenant	\$112,408	-	\$136,000
Police Clerk/Typist	\$20,000	-	\$50,400

**Section 3:**

Unless otherwise provided for in a Collective Bargaining Agreement, each full-time employee listed in Section 2 who was hired prior to September 1, 2014 hereof shall be additionally compensated upon employment anniversary with tenurial incentive as follows:

- 2% over Base Salary after ( 5) years of service.
- 3% over Base Salary after (10) years of service.
- 4% over Base Salary after (15) years of service.
- 5% over Base Salary after (20) years of service.
- 6% over Base Salary after (25) years of service.

Section 4:

Each full-time employee hired prior to December 31, 1991 shall receive \$50.00 incentive compensation in addition to the regular salary to be paid in a separate check in the month of December.

Section 5:

Except for those employees designated in Section 2, all other employees of the Borough shall not be considered as full-time employees. The following for hourly or annual compensation for the hereinafter listed officers and employees shall be fixed each subsequent year by annual salary ordinance, consistent with New Jersey law applicable to each new position.

<u>Position</u>	<u>Salary/Hourly Range</u>
Mayor	\$4,500 - \$6,850 per year
Council Members	\$4,250 - \$5,600 per year
Tax Assessor	\$12,000 - \$29,100 per year
Deputy Borough Clerk Stipend	\$2,000 - \$10,000 per year
Assistant Treasurer Stipend	\$2,000 - \$10,000 per year
Construction Official	\$9,000 - \$10,000 per year
Public Works Foreman Stipend	\$1,200 - \$1,500 per year

Ordinance No. 09-20  
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Licensed Water Operator	\$4,000 - \$9,100 per year
Building Sub Code Official	\$3,000 - \$6,500 per year
Plumbing Sub Code Official	\$3,000 - \$11,300 per year
Fire Sub Code Official	\$2,000 - \$4,000 per year
Electrical Sub Code Official	\$4,000 - \$11,600 per year
Zoning Enforcement Official	\$4,500 - \$16,700 per year
Land Use Board Secretary	\$5,000 - \$11,000 per year
Fire Prevention/Inspection Official	\$1,200 - \$4,700 per year
Fire Marshal/NJ Fire Code	\$8,000 - \$43,000 per year
Fire Inspector	\$1,000 - \$4,700 per year
Registrar Stipend	\$600 - \$1,800 per year
Deputy Registrar Stipend	\$250 - \$1,000 per year
Recycling Coordinator	\$3,000 - \$11,500 per year
Recreation Director/Community Liaison	\$10,000 - \$40,000 per year
Emergency Management Coordinator or Director Stipend	\$5,000 per year
School Resource Officer	\$700 per year
Department Assistant	\$12.00 - \$18.00 per hour
Fire Watch Team Member	\$25.00 per hour
School Crossing Guard	\$15.00 - \$21.50 per hour
Special Police Officer	\$15.00 - \$35.00 per hour
Police Matron	\$15.00 - \$20.50 per hour
Public Library – Youth Services Librarian	\$15.00 - \$26.00 per hour
Public Library – Assistant	\$10.00 - \$21.00 per hour
Public Works Worker	\$10.00 - \$16.30 per hour
Recycling Center Worker	\$15.00 - \$21.00 per hour
Senior Citizen Van Operator	\$13.50 - \$17.00 per hour
Recreation Seasonal –	
Waterfront Director	\$10.00 - \$20.00 per hour
Head Life Guard	\$10.00 - \$18.00 per hour
Life Guard	\$8.85 - \$15.00 per hour
Park Supervisor	\$11.00 - \$18.00 per hour
Park Instructor	\$8.85 - \$15.00 per hour
Park Counselors/Assistant	\$8.85 - \$14.00 per hour

Swim Team Coach \$1,000 - \$1,250 per season

Section 6:

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 7:

This ordinance shall take effect January 1, 2020, unless otherwise noted. Employees must be actively employed upon the adoption of the salary ordinance to receive retroactive pay.

Section 8:

The increase shall be effective July 1, 2020 for any employees hired between July 1, 2019 and December 31, 2019. Employees hired on or after January 1, 2020 will not be eligible for an increase in 2020.

DATE: June 25, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

Mayor Mulligan opened the meeting to the public.

There being no comments, Mayor Mulligan closed the public hearing.

The above-mentioned ordinance was adopted by the following roll call:

Roll Call: Ayes: Councilwoman Burnside, Councilman Haynes, Councilman Hurley, Councilman McDonald, Council President Smith  
Nays: None  
Abstain: None

PUBLIC PORTION

Mayor Mulligan opened the meeting to the public.

*Joyce Freiermuth, 99 E. Flagge Street* - Expressed frustration over the excessive use of fireworks in recent weeks; Councilman Greuter will discuss with the Police Chief.

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

CLOSED SESSION

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

**RESOLUTION 104-20: 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: June 25, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

Mayor and Council went into closed session at 7:24 p.m. and resumed the public meeting at 8:23 p.m.

#### ADJOURNMENT

The meeting adjourned at 8:24 p.m.

Approved: As Submitted

Kimberly Cuspilich, Acting Borough Clerk

Date: August 13, 2020