

**MAYOR & COUNCIL
REGULAR MEETING
SEPTEMBER 10, 2020
6:30 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 6:30 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, indicating that the meeting would take place as a telephonic meeting only at 6:30 p.m. on this date.

Councilmembers Present

Melissa Burnside
Russell Greuter
Thomas Haynes
James Hurley
Patrick McDonald

Councilmembers Absent

Robert Smith – Council President

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

Everyone present participated in the salute to the flag.

CORRESPONDENCE

Mayor Mulligan read a letter from Wasko Construction. Requesting permission to sell Christmas trees at 100 Hibernia Avenue from November 26, 2020 through December 24, 2020.

On motion by Councilman Haynes, seconded by Councilman McDonald, and unanimously carried by voice vote to accept the correspondence, and approve the request of Wasko Construction.

COUNCIL/COMMITTEE REPORTS

Councilman McDonald - Personnel Committee

Councilman McDonald thanked the Department of Public Works for their assistance at Smith Field.

Councilman Hurley - Finance and License Committee

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

Councilman Hurley thanked the CFO/Administrator for all of her hard work with Bond Counsel.

Councilman Hurley reported that the Historical Committee will be holding their annual yard sale on October 3, 2020.

Councilman Greuter - Public Safety Committee

Councilman Greuter reported that there were 10 arrests and 68 summonses issued in the month of August. The speed sign is currently on Crestwood Drive and, as requested at the last meeting, it will be placed on West Main Street next.

Councilwoman Burnside - Fire Committee

Fire Department – Councilwoman Burnside reported that the Fire Department scheduled drills on September 9th and September 30th.

Library – Councilwoman Burnside reported that the library is working on a plan to reopen to the public.

Board of Health – Councilwoman Burnside reported that flu shots will be available to residents, by appointment only, on September 17th and October 8th.

Councilman Haynes - Public Utility and Works Committee

Councilman Haynes reported that the Department of Public Works will be submitting a new water allocation permit along with a new drought plan to the Department of Environmental Protection by end of month.

ATTORNEY'S REPORT

The Attorney reported that the contract for Herrick Drive was reviewed and signed. Several ordinances, including the new Recreation Ordinance, are being worked on.

MAYOR'S REPORT

Mayor Mulligan reported that he met with the Teamsters Local President when he was in the area.

Mayor Mulligan requested a closed session for potential litigation.

ADMINISTRATOR'S REPORT

The Administrator reported that she has been discussing the possibility of permanent bonding with the bond counsel.

CLERK'S REPORT

The Acting Clerk reported that she received an inquiry from RPM regarding the use of the senior shopping bus by the residents of the proposed senior housing development.

RESOLUTIONS (CONSENT AGENDA ITEMS)

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

RESOLUTION 141-20: DESIGNATE 2021 FLOATING HOLIDAY

BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey, that Monday, December 27, 2021 be and is hereby designated as the floating holiday for the year 2021.

DATE: September 10, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: THOMAS MULLIGAN, MAYOR

RESOLUTION 142-20: APPROVE 2020-2021 ALCOHOL BEVERAGE CONTROL LICENSES

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

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>PLACE OF BUSINESS</u>
1434-33-007-004	Rockaway Lanes Inc. t/a Rockaway Lanes	365 Route 46 Rockaway, NJ 07866
1434-33-012-010	Brick 46 Inc.	68 Route 46 East Rockaway, NJ 07866

and;

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

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

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

DATE: September 10, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: THOMAS MULLIGAN, MAYOR

PUBLIC PORTION

Bonnie Hook, 23 Jackson Avenue commented on the meeting audio being much improved, but requested video access in the future. Ms. Hook also inquired about the removal of the bamboo along the river.

Joyce Freiermuth, 99 East Flagge Street expressed concerns regarding exclusion of any properties from the property maintenance regulations.

Kathy Haake, 74 Rockaway Avenue discussed the ideal timing for the removal of the bamboo.

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

CLOSED SESSION

Upon motion by Council President Smith, seconded by Councilwoman Burnside, and adopted unanimously upon call of the roll, the following resolution was adopted:

Resolution 143-20: 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: September 12, 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 7:35 p.m.

ADJOURNMENT

The meeting adjourned at 7:36 p.m.

Approved: As Submitted

Kimberly Cuspilich, Acting Borough Clerk

Date: October 22, 2020