

**MAYOR & COUNCIL
REGULAR MEETING
NOVEMBER 23, 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 at Assembly of God Church, 113 E. Main Street, Rockaway, NJ as well as remotely 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 at Assembly of God Church, 113 E. Main Street, Rockaway, NJ 07866, as well as remotely, at 6:30 p.m. on this date.

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.

APPROVAL OF MINUTES

Upon motion by Councilman Haynes, seconded by Councilman Hurley, and carried unanimously upon voice vote, the minutes of the October 28, 2020 Regular Meeting were approved.

CORRESPONDENCE

Mayor Mulligan read a letter from Raymond Saranelli at 107 Church Street requesting a partial refund on a recent water bill. The Borough had been notified of the ongoing issue and is continuing to work towards a permanent resolution, therefore, it was decided that no refund would be issued.

COUNCIL/COMMITTEE COMMENTS

Councilman Haynes – Public Utility and Works Committee

Department of Public Works – Councilman Haynes reported that street sweeping and leaf pickup continue, hydrants are being flushed throughout town, holiday decorations are in place, facilities are being winterized and preparation for winter events continues.

Mayor Mulligan inquired about the current staffing of the Department of Public Works and possible back up plans for snow plowing.

The Recycling Center will now be open from 2:00 pm to 7:00 pm on Wednesdays from March 1 through September 30.

Board of Education – Councilman Haynes provided an update on work currently being completed at both schools.

Councilman Haynes requested a closed session for personnel.

Councilman McDonald - Personnel Committee

Personnel – Councilman McDonald reported that the Fire Subcode Official resigned and the position will be advertised.

Recreation – Councilman McDonald reported that the Recreation Director is working on the possibility of a virtual tree lighting ceremony.

Councilman McDonald requested a closed session for personnel.

Councilman Greuter - Public Safety Committee

Police Department – Councilman Greuter reported that the Police Department made 5 arrests and issued 48 summonses in October.

Councilwoman Burnside - Fire Committee

Board of Health – Councilwoman Burnside provided an update on COVID-19.

Library – Councilwoman Burnside provided an update on the ongoing search for a new Library Director.

Councilman Hurley - Finance and License Committee

Councilman Hurley reported that the Administrator/CFO has requested that all purchase orders for the final bill run need to be submitted by December 7th.

Council President Smith - Ordinance Committee

Council President Smith reported that the review of the proposals for Borough Engineer had to be postponed due to COVID.

ATTORNEY'S REPORT

No report.

MAYOR'S REPORT

No report.

ADMINISTRATOR'S REPORT

No report.

CLERK'S REPORT

The Acting Borough Clerk provided an update on the progress with the installation of the new recording system at the Community Center and thanked the Recreation Director for his assistance with the installation, as well as the necessary upgrade of the internet equipment and service.

RESOLUTIONS (CONSENT AGENDA ITEMS)

RESOLUTION 172-20: APPROPRIATE ENGINEERING COSTS (CHURCH STREET WATER MAIN IMPROVEMENT PROJECT)

WHEREAS, the Superintendent, Department of Public Works, and the Borough Engineer have determined the need to replace the water main on Church Street from Halsey Ave to Wall Street; and

WHEREAS, the Borough Engineer has submitted a proposal dated November 18, 2020 for the engineering services associated with Church Street Water Main Improvement Project, including Topographic and Location Study, Basic Design Services, Bidding and Award Services, Contract Management and Coordination Services, Printing and Mailing Services, Construction Inspection Services, Construction Inspection Services, and Coordination with Morris County; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway, that the amount appropriated for engineering costs to Paul W. Ferriero, Ferriero Engineering, Inc., 180 Main Street, P.O. Box 571, Chester, NJ 07930 for the Church Street Water Main Improvement Project, including Topographic and Location Study, Basic Design Services, Bidding and Award Services, Contract Management and Coordination Services, Printing and Mailing Services, Construction Inspection Services, Construction Inspection Services, and Coordination with Morris County, shall not exceed \$75,000.00.

DATE: November 23, 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 \$75,000.00 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Ferriero Engineering, Inc. 180 Main Street, Chester, NJ 07930
For the purpose of: Church Street Water Main Improvement Project
The funds are available in Current Budget
Budget Line Item#: 01-201-36-472-212

DATE: November 23, 2020

BY: Patricia Reiche, CFO/Treasurer

RESOLUTION 184-20: AWARD CONTRACT (DPW - REPLACEMENT OF STAIRS BY FRIENDSHIP FIELD)

WHEREAS, there exists a need to replace the stairs leading from the public parking lot to the public parking lot by Friendship Field; and

WHEREAS, a diligent attempt to obtain several quotes was made by the Assistant Superintendent, Department of Public Works, with the lowest responsive quote being received from Markovski Landscaping & Tree Service, 179 Route 46 West, Suite 15-175, Rockaway, NJ 07866 (973-627-4161); and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11) states that a contract that is below the bid threshold may be awarded without public bidding; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey, that it does hereby authorize the replacement of the stairs leading from the public parking lot to the public parking lot by Friendship Field from Markovski Landscaping & Tree Service, 179 Route 46 West, Suite 15-175, Rockaway, NJ 07866 (973-627-4161) in the amount not to exceed \$13,800.00.

DATE: November 23, 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 \$13,800.00 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Markovski Landscaping & Tree Service, 179 Route 46 West, Suite 15-175, Rockaway, NJ 07866 (973-627-4161); and

For the purpose of: replacing the stairs leading from the public parking lot to the public parking lot by Friendship Field

The funds are available in General Capital Fund

Budget Line Item#: 04-215-55-952-020

DATE: November 23, 2020

BY: Patricia Reiche, CFO/Treasurer

RESOLUTION 185-20: AWARD CONTRACT (FIRE DEPT – QUICK DISCONNECT REGULATORS) ** REPLACES RESOLUTION 171-20**

WHEREAS, there exists a need to Convert Customer SCOTT Air Pak 50, NFPA 2002 Edition, to Quick Disconnect Regulators for the Fire Department; and

WHEREAS, the New Jersey State Contract T0790 contract includes the purchase of Quick Disconnect Regulators from New Jersey Fire Equipment Company 119-131 Route 22 East, Green Brook, NJ 08812 (732-968-2121); 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 Paks equipped with Heads Up Display (QTY 23) SCOTT #200016-01 Hose w/HUD & Plug Disc – NJSC, (QTY 23) SCOTT #200017-01 Hose Socket Assembly – NJSC, (QTY 23) Installation of above equipment, including Bench Test/Service Check/Posi-Check Flow Test/Computer Report, Paks without Heads Up Display (QTY 2) SCOTT #804337-01 Hose/Plug Assembly - NJSC, (QTY 2) SCOTT #804335-04 Hose/Socket Assembly - NJSC, (Qty 2) Installation of equipment as per above, New Jersey State Contract T0790/17-FLEET-00819/Vendor ID V00000570: for total amount not to exceed \$21,274.20 as per quote dated September 25, 2020.

DATE: November 23, 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 \$21,274.20 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

New Jersey Fire Equipment Company 119-131 Route 22 East, Green Brook, NJ 08812 (732-968-2121)

For the purpose of: Converting Customer SCOTT Air Pak 50, NFPA 2002 Edition, to Quick Disconnect Regulators for the Fire Department

The funds are available in Current Fund Capital Improvements

Budget Line Item#: 01-201-36-472-205

DATE: November 23, 2020

BY: Patricia Reiche, CFO/Treasurer

RESOLUTION 186-20: REFUND PERMIT FEES (BLOCK 73.04 LOT 29)

WHEREAS, on June 29, 2020, Waseem Uddin, 80 Addison Avenue, Rockaway, NJ 07866 paid fees totaling \$700.00, representing a performance bond in the amount of \$500.00, a cash deposit in the amount of \$150.00, and a road opening permit application fee in the amount of \$50.00; and

WHEREAS, Waseem Uddin has requested a refund of permit fees as he has have not begun construction and does not plan to; and

WHEREAS, the Borough Engineer has authorized the refund of all fees; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway, that the Chief Financial Officer is hereby authorized to return funds totaling \$700.00, representing a performance bond in the amount of \$500.00, a cash deposit in the amount of \$150.00, and a road opening permit application fee in the amount of \$50.00, to Waseem Uddin, 80 Addison Avenue, Rockaway, NJ 07866.

DATE: November 23, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

RESOLUTION 187-20: ACCEPT THE RESIGNATION OF FIRE SUBCODE OFFICIAL RICHARD C. BRIANT

WHEREAS, The Borough of Rockaway has received a letter of resignation from Richard C. Briant stating his intention to resign from his position as part-time Fire Subcode Official effective December 2, 2020; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council accepts the resignation of Richard C. Briant from the position listed above.

DATE: November 23, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

PUBLIC PORTION

Mayor Mulligan opened the meeting to the public.

Mayor Mulligan read an email received from Lester Kelem regarding a homeless gentlemen spending time at Park Lake.

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

CLOSED SESSION

RESOLUTION 188-20: 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:

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)

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: November 23, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

Mayor and Council went into closed session at 7:06 p.m. and resumed the public meeting at 8:48 p.m.

Councilman Haynes made a motion to move forward with the restructuring of the Department of Public Works, including the removal of the titles of Superintendent of Department of Public Works and Assistant Superintendent of Department of Public Works, effective December 31, 2020. Effective December 31, 2020, Thomas Slockbower will be offered the position of Water Utility Supervisor and William Hopler will be offered the position of Public Works Supervisor.

Said motion was seconded by Council President Smith and passed as follows upon call of the roll:

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

ORDINANCE NO. 16-20, Introduction

Councilman McDonald 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 December 10, 2020.

ORDINANCE NO. 17-20

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

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

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

ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Approved: As Submitted

Kimberly Cuspilich, Acting Borough Clerk

Date: January 28, 2021