

**MAYOR & COUNCIL  
REGULAR MEETING  
JUNE 11, 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 at the Assembly of God Church, 113 E. Main 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/OATHS OF OFFICE

Mayor Mulligan announced that he would like to appoint William Weischedel, III as Police Sergeant effective June 11, 2020; Mayor Mulligan swore in William Weischedel, III as Police Sergeant.

Mayor Mulligan announced that he would like to appoint Christopher Richardson as Police Lieutenant effective June 11, 2020 at a salary within the salary ordinance; Mayor Mulligan swore in Christopher Richardson as Police Lieutenant.

Mayor Mulligan announced that he would like to appoint Kimberly Cuspilich as Acting Borough Clerk effective June 22, 2020 at a salary within the salary ordinance; Mayor Mulligan swore in Kimberly Cuspilich as Acting Borough Clerk.

APPROVAL OF MINUTES

Upon motion by Councilman Haynes, seconded by Councilman Greuter, and carried unanimously upon voice vote, the minutes of the May 6, 2020 Special Meeting and May 14, 2020 Regular Meeting were approved.

COUNCIL/COMMITTEE COMMENTS

Councilman Greuter - Public Safety Committee

*Police Department* - Councilman Greuter reported that he had received very positive feedback regarding the "United We Stand" event on Sunday; he thanked the Mayor, Police Chief, and Police Officers for their efforts.

Councilman Greuter left the meeting at 6:25 p.m.

Councilman Haynes – Public Utility and Works Committee

*Department of Public Works* – Councilman Haynes reported that a water main break on Woodstone Road was repaired and the Hoagland Avenue project is complete with the exception of road striping.

Councilman Haynes gave kudos to the Superintendent of the Department of Public Works for his efforts in coordinating a recent sidewalk repair.

Councilman Haynes thanked Borough Clerk/Administrator Patricia Bussow for her efforts during the past year and congratulated Lieutenant Richardson and Sergeant Weischedel on their promotions.

Closed session requested for a personnel matter.

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 reported that there was a bid opening for the Foxs Lake Dam project. 7 bids were received and are currently being reviewed by the Borough Engineer.

Councilman McDonald – Personnel Committee

*Recreation* – The Recreation Director reported that 400-500 refunds have been issued for spring sports. The fields are ready for the tentative reopening date of July 6<sup>th</sup>. Kudos to the two Department of Public Works employees who took care of Donatoni Park today.

Councilman McDonald thanked Borough Clerk/Administrator Patricia Bussow for her efforts over the past year.

Closed session requested for personnel.

Councilwoman Burnside - Fire Committee

*Fire Department* - Councilwoman Burnside reported that the Fire Department has logged a total of 1,107 hours year to date. She also thanked them for their swift and compassionate response to a basement fire earlier in the week.

*Board of Health* - Councilwoman Burnside reported that State will be taking over contract tracing and outdoor dining has been approved, with restrictions, beginning June 15<sup>th</sup>.

Council President Smith - Ordinance Committee

Council President Smith reported that an amendment regarding the reimbursement of the cost of training when an employee voluntarily resigns has been drafted and will be introduced at the next meeting.

Council President Smith thanked Borough Clerk/Administrator Patricia Bussow for her efforts during the past year and wished her well in her future endeavors.

ATTORNEY'S REPORT

The Attorney provided an update on the acquisition of property related to the Foxs Lake Dam project and ongoing tax appeals.

MAYOR'S REPORT

Mayor Mulligan thanked Borough Clerk/Administrator Patricia Bussow for her efforts over the past year and wished her well in her new position.

Mayor Mulligan provided an overview of Ordinance 10-20, which is being introduced this evening and will be reviewed by the Land Use Board at their June 22, 2020 meeting.

Closed session requested for potential litigation and a personnel issue.

ADMINISTRATOR'S REPORT

The Administrator reported thanked the Mayor and Council for allowing her to serve the Borough for the past year.

RESOLUTIONS (CONSENT AGENDA ITEMS)

Resolution 90-20 was pulled for further discussion and tabled until further notice.

Upon motion by Councilman Hurley, seconded by Councilman McDonald and carried unanimously upon call of the roll, Resolutions 78-20, 80-20, 87-20, 88-20, 89-20, and 91-20, as memorialized by the Attorney, were adopted.

Resolution 90-20 was discussed with the Borough Planner, who joined the meeting via telephone. Upon motion by Councilman Hurley, seconded by Council President Smith, and carried unanimously upon call of the roll.

**RESOLUTION 78-20: REFUND MORRIS HILLS REGIONAL SCHOOL DISTRICT (POLICE SECURITY OFFICER)**

**WHEREAS**, the Borough of Rockaway received payment of \$36,000.00 from Morris Hills Regional School District, 48 Knoll Drive, Rockaway, NJ 07866 (973-664-2280) to be applied to the police security officer; and

**WHEREAS**, the actual cost for the 2019-2020 school year for the police security officer was \$26,047.29, thereby resulting in an overpayment of \$9,952.71.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Rockaway, County of Morris, to refund the overpayment of \$9,952.71 for the police security officer to Morris Hills Regional School District, 48 Knoll Drive, Rockaway, NJ 07866 (973-664-2280).

DATE: June 11, 2020 BOROUGH OF ROCKAWAY

ATTEST: PATRICIA L. BUSSOW, Borough Clerk BY: Thomas Mulligan, Mayor

**RESOLUTION 80-20: AUTHORIZE SETTLEMENT AGREEMENT (ROCKAWAY GARDENS)**

**WHEREAS**, the Borough provides and charges for water service through the Borough Water Utility and bills Robmar Realty Associates, LLC t/a Rockaway Gardens Apartments quarterly for water received based on rate and consumption in accordance with Borough Ordinance; and

**WHEREAS**, a discrepancy arose as to the calculation of the charges on the water bill as a result of the upgrade and replacement of the previous water meter by the Borough with a different type of meter; and

**WHEREAS**, although it is the position of the Borough that it has the discretion to amend the ordinance at any time to change the manner in which charges are calculated to be consistent with that of how the new meter had been set in this instance or in any other way it may deem appropriate, that was not a change that was intended when the Borough made the decision to upgrade the existing water meters; and

**WHEREAS**, the Parties prefer to resolve the current issue amicably and without further risk or expense and wish to execute a settlement agreement;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Rockaway, in the County of Morris, State of New Jersey, that the Borough Clerk is hereby authorized to execute a settlement agreement with Robmar Realty Associates, LLC t/a Rockaway Gardens Apartments stating that the Borough will issue a total credit in the amount of \$13,741.77 to be applied to charges on Releasor's accounts. Such credit shall be applied to any charges on both Account No. 0100-00191 and 0100-00190 until the balance of the credit is exhausted.

DATE: June 11, 2020 BOROUGH OF ROCKAWAY

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

**RESOLUTION 84-20: AUTHORIZE ISSUANCE OF REIMBURSEMENT UNDER THE "KELLY LAW"**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey, that the Chief Financial Officer be directed to issue a reimbursement check as listed below under the "Kelly Law" (2019 expenses) pursuant to N.J.S.A. 40:67-23.2, et seq.:

Fox Hill at Rockaway Condominium Association - \$3,420.00  
Attn: Lynn Howell  
PO Box 231  
Dover, NJ 07802

DATE: June 11, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 85-20: CHANGE IN CUSTODIAN OF PETTY CASH FUND**

**WHEREAS**, Borough Clerk Patricia Bussow was custodian of the Petty Cash Fund for the Clerk's office of the Borough of Rockaway, and

**WHEREAS**, Borough Clerk Patricia Bussow has resigned as of June 19, 2020 and Kimberly Cuspilich has been appointed as Acting Borough Clerk; and

**WHEREAS**, in accordance with N.J.S.A. 40:5-21, the Borough of Rockaway is changing custodians to Kimberly Cuspilich.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Rockaway, County of Morris hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

1. Kimberly Cuspilich, Acting Borough Clerk, having custody of the Fund, be bonded in an amount not less than \$1,000.00 and will maintain said Fund in accordance with the laws and regulations governing its operation.

DATE: June 11, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 86-20: APPOINT JOINT INSURANCE FUND COMMISSIONER**

**WHEREAS**, the Borough of Rockaway has resolved to join the Morris County Municipal Joint Insurance Fund; and

**WHEREAS**, the bylaws of said Fund require that each Municipality appoint a Fund Commissioner.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Rockaway, County of Morris, New Jersey that Patricia Reiche, Administrator/Chief Financial Officer, is hereby appointed as the Borough of Rockaway's Commissioner of the Morris County Municipal Joint Insurance Fund and Kimberly Cuspilich, Acting Municipal Clerk, as designated alternate for the year 2020; and

**BE IT FURTHER RESOLVED** that the Borough of Rockaway's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund as required by the Fund's Bylaws and to deliver same to the Administrator of the Fund.

DATE: June 11, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 87-20: AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE ACQUISITION OF A PORTION OF THE PROPERTY DESIGNATED AS BLOCK 46, LOT 3, ON THE OFFICIAL TAX MAP OF THE BOROUGH OF ROCKAWAY, COUNTY OF MORRIS, STATE OF NEW JERSEY**

**WHEREAS**, the Borough of Rockaway (the "Borough") and Paul and Diane Willson have been in negotiations concerning the acquisition by the Borough of a portion of the parcel of land designated as Lot 3 in Block 46 on the Tax Maps of the Borough of Rockaway; and

**WHEREAS**, the parties have now come to terms with respect to a certain Contract of Sale which contract has been negotiated and approved by the Borough Attorney; and

**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 Borough Clerk be authorized to execute a certain contract for the acquisition of a portion of Lot 3 in Block 46 as shown on the Tax Maps of the Borough of Rockaway, subject to the Borough Attorney being satisfied with the terms and conditions provided in said contract; and

**BE IT FURTHER RESOLVED** that the Borough Attorney be authorized to proceed with the necessary title searches, survey work and other documentation which may be required as part of the processing of acquiring the property; and

**BE IT FURTHER RESOLVED** that Mayor and/or Council President (in the absence of the Mayor) and the Borough Clerk be authorized to execute any and all documents which may be necessary to effectuate the conveyance of the property to the Borough and the obtaining of all necessary funds needed to acquire such property.

This resolution shall take effect as provided by law.

DATE: June 11, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 88-20: AWARD CONTRACT (DPW - PICKUP TRUCK)**

**WHEREAS**, there exists a need to obtain a pickup truck for the Department of Public Works; and

**WHEREAS**, Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07960 (973-463-3065) has been awarded New Jersey State Contract No. A88727 for the purchase of a 2020 Ford F-250 SRW XL 4WD Reg Cab 8' Box; 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 Ford F-250 SRW XL 4WD Reg Cab 8' Box from Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07960 (973-463-3065) for use by the Department of Public Works, under New Jersey State Contract No. A88727 in the amount not to exceed \$43,991.00.

DATE: June 11, 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 \$43,991.00 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07960 (973-463-3065)

For the purpose of: 2020 Ford F-250 SRW XL 4WD Reg Cab 8' Box

The funds are available in 07-201-55-707-549, 04-215-55-952-030

Budget Line Item#: Water Capital Outlay and General Capital

DATE: June 11, 2020

BY: Patricia Reiche, CFO/Treasurer

**RESOLUTION 89-20: 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 \$19,145.00 for the purchase and installation of fencing at Smith Field.

DATE: June 11, 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 \$19,145.00 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 11, 2020 BY: Patricia Reiche, CFO/Treasurer

**RESOLUTION 90-20: RESOLUTION OF NEED**

**WHEREAS**, **74 West Main Street Urban Renewal Associates, LP** (hereinafter referred to as the “Sponsor”) proposes to develop a 64-unit affordable housing development for seniors (hereinafter referred to as the “project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Borough of Rockaway (hereinafter referred to as the “Municipality”) on a site described as Lots 65; Block 73 as shown on the Official Assessment Map of the Rockaway Borough and commonly known as West Main Street Senior Residences; and

**WHEREAS**, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

**WHEREAS**, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Rockaway (the “Council”) that:

- (1) The Council finds and determines that the 64-unit affordable Project proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Committee does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding to finance the Project.

DATE: June 11, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow Borough Clerk

BY: Thomas Mulligan, Mayor

**RESOLUTION 91-20: APPOINTING PATRICIA REICHE AS BOROUGH ADMINISTRATOR COMMENCING ON JUNE 22, 2020 TO DECEMBER 31, 2020**

**WHEREAS**, the Mayor and Borough Council need to fill the vacancy in the office of Administrator upon the resignation of Patricia Bussow; and

**WHEREAS**, the Mayor and Borough Council have selected Patricia Reiche, Chief Financial Officer, to assume these duties beginning June 22, 2020 for a probationary period until December 31, 2020; and

**WHEREAS**, the compensation for assuming these duties will be increased by the sum of twenty thousand dollars (\$20,000.00) while also fulfilling her responsibilities as Chief Financial Officer; and

**WHEREAS**, a contract of employment is annexed hereto along with a Certificate of Availability of Funds, available for public inspection in the office of the Municipal Clerk; and

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

1. Patricia Reiche shall be appointed as Administrator of the Borough of Rockaway commencing on June 22, 2020 through December 31, 2020, said appointment being made on a probationary basis.
2. The Mayor and Municipal Clerk are directed to execute a contract of employment as annexed to this Resolution.
3. The compensation for serving as Chief Financial Officer and Administrator shall be increased by twenty thousand dollars (\$20,000.00) beginning on June 22, 2020 until December 31, 2020.
4. The Chief Financial Officer of the Borough of Rockaway, hereby certifies that the funds necessary for the authorization and acceptance of the contract of employment of the Chief Financial Officer and Administrator by the Borough of Rockaway are available in the necessary Borough of Rockaway account(s).

DATE: June 11, 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 \$20,000.00 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Patricia Reiche

For the purpose of: Compensation for the Borough Administrator

The funds are available in Current Fund & Water Operating

Budget Line Item#: 01-201-20-120-011, 01-201-26-295-011, 07-201-55-700-011

DATE: June 11, 2020

BY: Patricia Reiche, CFO/Treasurer

**RESOLUTION 92-20 REFUND TAX SALE CERTIFICATE (BLOCK 38, LOT 127)**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Rockaway, County of Morris, by New Jersey State Statute 54:5-58 to refund tax sale certificate dated October 9, 2019 for 138 Franklin Avenue, Block 38, Lot 127 in the amount of \$14,045.55 and premium in the amount of \$21,000.00 to Park Finance II LLC, P.O. Box 109, Cedar Knolls, N.J. 07927 and \$50.00 to Borough of Rockaway per state statute N.J.S.A. 54:5-54.

DATE: JUNE 11, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Thomas Mulligan, Mayor

ORDINANCE NO. 06-20, Public Hearing & Adoption

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

**ORDINANCE 06-20**

**ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS  
IN AND BY THE BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY,  
APPROPRIATING \$1,025,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$1,025,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF**

**NOW THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Rockaway, in the County of Morris, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,025,000, including a grant in the amount of \$325,000 from the State of New Jersey Department of Transportation (the "State Grant") for the purpose described in Section 3(b)(2) and further including the aggregate sum of \$30,250 as the several down payments for the improvements or purposes required by the Local Bond Law. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) for the improvement or purpose described in Section 3(b)(2) since the improvement or purpose is being partially funded by the State Grant. The amount of the down payment is at least 5% of the purposes or improvements not covered by the State Grant in the amount of \$605,000. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$669,750 pursuant to the Local Bond



Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<p><b>a) <u>Department of Public Works – Maintenance of Parks</u></b>                      The acquisition of a Toro groundmaster mower, including all related costs and expenditures incidental thereto.</p>	\$35,000	\$33,250	15 years
<p><b>b) <u>Department of Public Works – Street/Roads</u></b>                      1) Sidewalk replacement, including all work and materials necessary therefor and incidental thereto.</p>	\$114,000	\$108,300	10 years
<p>2) Lakeside Road resurfacing, including all work and materials necessary therefor and incidental thereto.</p>	\$420,000 (includes a grant in the amount of \$325,000 from the State of New Jersey Department of Transportation)	\$95,000	10 years
<p><b>c) <u>Engineering/Buildings and Grounds (Department of Public Works)</u></b>                      1) The building of a new Department of Public Works Garage, including all work and materials necessary therefor and incidental thereto.</p>	\$240,000	\$228,000	15 years
<p>2) Improvements to the Police Station, including, but not limited to, updates to bathrooms and locker rooms, replacement of ceiling tiling,</p>			

painting and flooring and further including all work and materials necessary therefor and incidental thereto.	\$96,000	\$91,200	10 years
3) Union Street canal cleaning, including all work and materials necessary therefor and incidental thereto.	<u>\$120,000</u>	<u>\$114,000</u>	15 years
Total	<u>\$1,025,000</u>	<u>\$669,750</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with

the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 12.80 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$669,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$160,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the State Grant referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

DATE: June 11, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, 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

ORDINANCE NO. 07-20, Public Hearing & Adoption

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

**ORDINANCE 07-20**

**ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY  
 IN AND BY THE BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY,  
 APPROPRIATING \$360,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF  
 \$360,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF**

NOW THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Rockaway, in the County of Morris, New Jersey (the "Borough"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$360,000. No down payment is required as the purposes authorized herein are deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$360,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

Purpose	Appropriation & Estimated Cost	Estimated Maximum Amount of Bonds & Notes	Period of Usefulness
a) The rehabilitation of wells, including all work and materials necessary therefor and incidental thereto.	\$180,000	\$180,000	40 years
b) Water tanks code updates, including all work and materials necessary therefor and incidental thereto.	\$180,000	\$180,000	20 years
Total:	<u>\$360,000</u>	<u>\$360,000</u>	

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes that the Borough may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 30 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$360,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$40,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document

on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

DATE: June 11, 2020 BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, 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

ORDINANCE NO. 08-20, 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 NO. 08-20**

**ORDINANCE OF THE BOROUGH OF ROCKAWAY  
MAYOR AND COUNCIL  
AMENDING CHAPTER 55, OFFICERS AND EMPLOYEES,  
OF THE CODE OF THE BOROUGH OF ROCKAWAY**



**WHEREAS**, the Mayor and Council of the Borough of Rockaway have determined that it would be in the best interest of the citizens of the Borough to establish the position of Community Liaison; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Rockaway that Chapter 55, Officers and Employees, be amended to include the position of Community Liaison and shall read as follows:

BOROUGH OF ROCKAWAY  
COUNTY OF MORRIS, STATE OF NEW JERSEY  
POSITION DESCRIPTION

TITLE: Community Liaison  
DEPARTMENT: Recreation  
CLASSIFICATION: Part-Time, Exempt, Salaried  
HOURS: To be determined

**DEFINITION:**

Under general supervision an incumbent of this position is responsible for the coordination of special programs and acts as a liaison between the municipality and various community/ business organizations and the general public. Contact and interaction with municipal department personnel, public officials, community and business leaders and the general public is an essential role; performs other duties as required.

**EXAMPLES OF WORK:**

Coordinates projects involving municipal units, businesses or other groups, and reviews finished work.

Assists department heads or other municipal employees in aspects of planning, implementation and evaluation of special projects and programs.

Prepares, implements and monitors department capital and operating budgets

Attends community meetings (Business Owners, Rotary, etc.) to solicit ideas, address concerns and encourage resident participation in municipal initiatives.

Assist in developing and promoting the growth of the Borough of Rockaway, through implementing and coordination of plans and programs affecting community and business development

Assists Mayor and Council as needed to implement re-development goals and initiatives.

Maintains contact with business, school and community leaders to coordinate special events and programs.

Establishes and maintains contact with families of program participants and provides liaison services between participants and municipal departments.

Interprets program services and distributes informational material to residents to describe what, where and when program services are available to them.

Prepares reports and updates Mayor and Council on the progress of projects, budget activity, effectiveness of programs, and feedback from residents.

Identifies and implements supplemental revenue sources and cost savings programs/procedures that include, but not limited to, public and private grants, shared services agreements, co-operative purchasing agreements and in-kind donations.

Uses computer applications or other automated systems, such as spreadsheets, word processing, calendar, email and social media in performing work assignments.

**KNOWLEDGE AND ABILITIES:**

Good knowledge of the local community.

Good knowledge of the community resources and community needs within the municipality.

Ability to communicate effectively, both verbally and in writing.

Ability to use computer applications such as spreadsheets, word-processing and, calendar and e-mail and database software.

Ability to speak effectively before groups.

Ability to establish and maintain effective relationships with a wide variety of people.

Ability to maintain confidential and public records and files.

Ability to communicate effectively with community, business and school leaders.

Ability to coordinate and effectively communicate with municipal employees and administration.

Ability to read, write, understand and communicate in English sufficiently to perform the essential duties of the position.

Tact, courtesy, dependability, good judgement commensurate with the duties of the position.

**REQUIREMENTS:**

**EDUCATION:**

Graduation from an accredited college or university with a Bachelor's degree.

**LICENSE:**

Appointee will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle, rather than mobility, is necessary to perform essential duties of the position.

**EXPERIENCE:**

Three (3) years of experience in community/public relations work involving acting as a liaison with public officials, corporation or other agencies which included responsibility for planning, preparing, and distributing materials to promote and coordinate understanding or general knowledge about activities, services, policies or objectives.

**NOTE 1:** A specific Bachelor's degree in Public Relations from an accredited college or university may be substituted for (1) year experience.

**NOTE 2:** Applicants who do not meet educational requirement may substitute additional work experience as described on the basis of one (1) year of such experience being equal to thirty (30) semester hour credits.

**NOTE 3:** Possession of a Master's degree in Public Relations from an accredited college or university may be substituted for (1) year of the above required work experience.

**Section II**

1. This Ordinance may be renumbered for codification purposes.
2. All Ordinances of the Borough of Rockaway which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
3. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
4. This Ordinance shall take effect immediately.

DATE: June 11, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, 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

ORDINANCE NO. 09-20, Introduction

**ORDINANCE NO. 09-20**

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

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 June 25, 2020.

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

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

Nays: None

Abstain: None

ORDINANCE NO. 10-20, Introduction

**ORDINANCE 10-20**

**ORDINANCE OF THE BOROUGH OF ROCKAWAY  
MAYOR AND COUNCIL  
AMENDING CHAPTER 169 (LAND USE ADMINISTRATION AND PROCEDURES), CHAPTER 171 (LAND SUBDIVISION AND SITE PLAN REVIEW), AND CHAPTER 172 (ZONING) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ROCKAWAY, AND ESTABLISHING STANDARDS FOR "SENIOR HOUSING (AHO-S)" DISTRICT IN THE BOROUGH**

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 July 9, 2020.

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

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* – Requested a copy of Ordinances 09-20 and 10-20.

*Kathy Haake, 74 Rockaway Avenue* – Requested further information on Ordinances

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

CLOSED SESSION

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

**RESOLUTION 92-20: 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 11, 2020

BOROUGH OF ROCKAWAY

ATTEST: Patricia L. Bussow, Borough Clerk

BY: Thomas Mulligan, Mayor

Mayor and Council went into closed session at 7:23 p.m. and resumed the public meeting at 7:39 p.m.

ADJOURNMENT

The meeting adjourned at 7:40 p.m.

Approved: As Submitted

Kimberly Cuspilich, Acting Borough Clerk

Date: June 25, 2020