

**MAYOR & COUNCIL
SPECIAL MEETING
July 21, 2020
6:00 p.m.**

A Special 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 Mulligan presiding. Mayor Mulligan called the meeting to order at 6:00 p.m.

Mayor Mulligan read that **Public Notice** is hereby given: 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 notice indicating that the meeting would take place at the Community Center, 21-25 Union Street, Rockaway, NJ at 6:00 p.m. on July 21, 2020.

Councilmembers Present

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

Councilmembers Absent

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

Also present were Recreation Director Robert O'Connor, Department of Public Superintendent Thomas Stockbower, Assistant Department of Public Works Superintendent William Hopler, Water Foreman Christopher Basile, Anthony D'Amico and Patrick Guaschino.

Everyone present participated in the salute to the flag.

PUBLIC PORTION

Mayor Mulligan opened the meeting to the public.

Disciplinary action was discussed for DPW worker, Jay Leonard. Mr. Leonard spoke on his own behalf.

CLOSED SESSION

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

RESOLUTION 115-20: 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: July 21, 2020

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

Mayor and Council went into closed session at 7:01 p.m. and resumed the public meeting at 7:09 p.m.

Mayor Mulligan announced that upon further discussion, council decided to uphold the three-day suspension, to be served before the end of August 2020.

PUBLIC PORTION

Mayor Mulligan opened the meeting to the public.

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

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Approved: As Submitted

Kimberly Cuspilich, Acting Borough Clerk

Date: August 13, 2020