

**MAYOR AND COUNCIL
REGULAR MEETING
JANUARY 14, 2021
6:30 PM**

The Regular Meeting of the Mayor and Council of the Borough of Rockaway, in the County of Morris, New Jersey, was held 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 as a telephonic meeting only at 6:30 p.m. on this date.

CALL TO ORDER

Council Member	Present	Absent
Councilman Greuter	X	
Councilman Haynes	X	
Councilman Hurley	X	
Councilman McDonald	X	
Councilman Smith	X	
Council President Burnside	X	

Borough Administrator Patricia Reiche and Borough Attorney Joseph J. Bell, Esq., were also present.

Everyone present participated in the salute to the flag.

APPROVAL OF MINUTES

Regular Meeting November 12, 2020

Moved	Seconded	Voice Vote	
Councilman Greuter	Councilman Hurley	In favor: X	Against:

COUNCIL REPORTS

Councilman Greuter - Public Safety Committee

Police Department – Councilman Greuter reported that the Police Department made 5 arrests and 37 summonses during the month of December.

Mayor Mulligan asked that Councilman Greuter reach out to the Police Chief regarding any concerns with the Parsippany Municipal Court.

Councilman Smith - Ordinance Committee

Councilman Smith reported that research is ongoing with regard to the International Property Maintenance Code. Council President Burnside asked to be included in the discussion on this matter moving forward so that she could convey the perspective of the various professionals.

Mayor Mulligan asked that the ordinance committee move forward with a filming ordinance.

Councilman McDonald - Personnel Committee

Personnel – Councilman McDonald reported that an updated organizational chart, including the new Department of Public Works titles, has been distributed and a motion will need to be made to adopt same.

Recreation – Councilman McDonald applauded Recreation Director Rob O’Connor and the Department of Public Works for their efforts in updating the Community Center.

Councilman Haynes – Public Utility and Works Committee

Department of Public Works – Councilman Haynes reported that the Water Department repaired a water main break on McKinley Avenue. The recycling newsletter has been completed and will be mailed shortly. Tomorrow is the last day for curbside pickup of Christmas Trees.

Interviews are being scheduled for the Water Supervisor and Director of Public Works positions.

Board of Education – Councilman Haynes provided an update from the Board of Education Reorganization Meeting, included the upcoming retirement of Superintendent, Phyllis Alpaugh.

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 the Bond sale process is on track for a February sale.

Councilman Hurley provided an update on the transition to the new Borough Engineer.

Councilwoman Burnside - Fire Committee

Board of Health – Council President Burnside provided an update on the Board of Health reorganization meeting, including the welcoming of a new member. Council President Burnside also provided an update on the COVID vaccine and the process for registering and scheduling an appointment. Health screenings for 2021 are on hold for now. The Board of Health has requested an extension on cat and dog licensing for dogs and cats who need a rabies vaccine.

Library – Council President Burnside announced that a new Library Director will be starting in January. Two new members were also welcomed to the Library Board of Trustees.

Fire Department – Council President Burnside reported that the Fire Department scheduled drills on January 13, 20, and 27 and approved Joe VanSaders as a driver.

ATTORNEY’S REPORT

The Attorney reported that he is reviewing the proposed contract of the new Borough Engineer, as well as the bid specifications. The Attorney also provided information on geese control to Councilman Smith.

Mayor Mulligan suggested discussing geese control at Parks Lake with Rockaway Township.

MAYOR’S REPORT

Mayor Mulligan reported that a draft settlement agreement between RPM and the Borough of Rockaway has been distributed to the Mayor and Council, as well as the Land Use Board. An updated timeline is forthcoming.

Mayor Mulligan requested a closed session for possible litigation.

ADMINISTRATOR’S REPORT

The Administrator discussed the transition to the new Borough Engineer and which projects would remain with Ferriero Engineering and which would be transitioned to Mott MacDonald.

CLERK'S REPORT

No report.

CONSENT AGENDA

RESOLUTION 20-21: ACCEPT THE RESIGNATION OF FRANCIS RODIMER

WHEREAS, The Borough of Rockaway has received a letter of resignation from Francis Rodimer stating his intention to resign from his position as DPW Laborer, effective December 4, 2020; and,

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council accept the resignation of Francis Rodimer from the position of DPW Laborer.

RESOLUTION 21-21: ACCEPT THE RESIGNATION OF EDNA PULEO

WHEREAS, The Borough of Rockaway has received a letter of resignation from Edna Puleo stating her intention to retire from her position as Library Director, effective November 30, 2020; and,

WHEREAS, the Mayor and Council express their appreciation for the work performed by Ms. Puleo during her time with the Borough of Rockaway.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Rockaway accept the resignation of Edna Puleo from the position Library Director.

RESOLUTION 22-21: APPOINT MELISSA OKERBLOM LIBRARY DIRECTOR

BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris and State of New Jersey, that Melissa Okerblom is hereby appointed to the position of Library Director and is hereby employed by the Borough of Rockaway at a salary within the salary ordinance, effective Tuesday, January 19, 2021.

RESOLUTION 23 -21: TRANSFER 2020 OVERPAID TAX MONIES TO 2021

BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey to transfer 2020 overpaid tax monies to the 2021 tax year as follows:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Gray	79	1	\$1083.88

RESOLUTION 24 21 REFUND TAX SALE CERTIFICATE (BLOCK 71, LOT 42)

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 10, 2018 for 39 Marshall Avenue, Block 71, Lot 42 in the amount of \$31,140.91 to Christiana T C/F CE1/First Trust, P.O. Box 5021, Philadelphia, PA 19111-5021.

RESOLUTION 25-21: AWARD CONTRACT (POLICE DEPARTMENT - VEHICLE MAINTENANCE)

WHEREAS, there exists a need for vehicle maintenance to the Police Department vehicles for 2021; and

WHEREAS, a diligent attempt to obtain several quotes was made by the Police Lieutenant, with the lowest quote being received from S&G Elite Auto, 62 West Main Street, Rockaway, NJ 07866 (973-343-6444); 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, to authorize the purchase of vehicle maintenance services from S&G Elite Auto, 62 West Main Street, Rockaway, NJ 07866 (973-343-6444) in an amount not to exceed \$75.00 per hour as per quote dated December 28, 2020.

RESOLUTION 26-21: APPROVE TEMPORARY LEAVE OF ABSENCE REQUEST (KEYARA DOMINGUEZ)

WHEREAS, Keyara Dominguez, Police Clerk/Typist, has requested a temporary unpaid leave of absence for 12 weeks beginning on or about January 4, 2021; and

WHEREAS, Section 61-80, Temporary leaves of absence, of the Code of the Borough of Rockaway provides that Employees may be granted a personal leave of absence for up to six months by resolution of the Mayor and Council; such leave to include the use of any accrued vacation and sick leave time; and

WHEREAS, the Chief of Police has advised that said leave will not cause undue operational disruption and recommended that the leave be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway, that Keyara Dominguez has shown good cause and her request for a temporary leave of absence for 12 weeks beginning on or about January 4, 2021, has been granted pursuant to Section 61-80, temporary leaves of absence, of the Code of the Borough of Rockaway.

RESOLUTION 27-21: APPROVE 2021 AMUSEMENT DEVICE LICENSES

WHEREAS, the following named applicants have duly filed applications for the license known as an Amusement Device License, for the period from January 1, 2021 to December 31, 2021:

<u>License Number</u>	<u>Name</u>	<u>Place of Business</u>
277-21	The Exchange Restaurant	160 E. Main St. Rockaway, NJ 07866
278-21	Tavern on the Rocks	9 Wall St. Rockaway, NJ 07866
279-21	Rockaway Lanes, Inc.	365 Route 46 West Rockaway, NJ 07866
280-21	Mill Lane Tavern	8 Mill Lane Rockaway, NJ 07866

WHEREAS, the said applicants have fully completed the required application and paid the proper fees pertaining to said license; and

WHEREAS, said application lists number of machines, machine type, and serial number of each machine, as described in the Code of the Borough of Rockaway §95-1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey, that the Amusement Device License be and the same is hereby granted to the above named applicants and shall be effective as provided by law.

RESOLUTION 28-21: AWARD CONTRACT (DPW – HVAC MAINTENANCE)

WHEREAS, there exists a need to obtain a contractor for maintenance of the Heating, Ventilation and Air Conditioning Systems (HVAC), at the Municipal Building, Police Station, Public Works office, Community

Center, Library and Museum and duct cleaning services at the Police Station located at 33 Maple Avenue; and

WHEREAS, a diligent attempt to obtain several quotes was made by the Supervisor, Department of Public Works, with the lowest response being received from Reiner Group Inc., 1275 Bloomfield Ave # 20, Fairfield, NJ 07004, (201-794-3700); 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 as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement in an amount not to exceed \$6,200.00 with Reiner Group Inc, 1275 Bloomfield Ave # 20, Fairfield, NJ 07004, (201-794-3700) for maintenance of the Heating, Ventilation and Air Conditioning Systems (HVAC), for the period January 1, 2021 through December 31, 2021 at the Municipal Building, Police Station, Public Works office, Community Center, Library and Museum, unscheduled repair work at \$130.00 per hour, and duct cleaning services at the Municipal Building located at 1 East Main Street.
2. A copy of this resolution and of the subject agreement shall be made available for inspection in the office of the Borough Clerk.

RESOLUTION 30-21: AWARD CONTRACT (EAST FLAGGE STREET CURBING IMPROVEMENTS)

WHEREAS, on August 12, 2020 the Borough Clerk received four (4) bid proposals for the East Flagge Street Curbing Improvements Project:

Your Way Construction, Inc. 404 Coit Street Irvington, NJ 07111 \$68,981.88	Black Rock Enterprises, LLC 1316 Englishtown Road Old Bridge, NJ 08857 \$75,000.00	Crossroads Paving 386 South Street, Suite 169 Newark, NJ 07105 \$76,945.00
Nava Construction 1216 Stockton Drive North Brunswick, NJ 08902 \$86,085.00	Cifelli & Son General Contracting, Inc. 81 Franklin Avenue Nutley, NJ 07110 \$86,735.00	

WHEREAS, the apparent low bidder was Your Way Constructions, Inc., 404 Coit Street, Irvington, NJ 07111, with a bid in the amount of \$68,981.88; and

WHEREAS, the contract is being awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; 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, as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement in an amount not to exceed \$68,981.88 with Your Way Constructions, Inc., 404 Coit Street, Irvington, NJ 07111 for the East Flagge Street Curbing Improvements Project.
2. A copy of this resolution and the subject agreement shall be made available for inspection in the office of the Borough Clerk.

RESOLUTION 31-21: APPOINT WILLIAM HOPLER RECYCLING COORDINATOR

BE IT RESOLVED by the Mayor and Council of the Borough of Rockaway, County of Morris, State of New Jersey, that they do hereby appoint William Hopler as Recycling Coordinator for the Borough of Rockaway, effective January 1, 2021, at a salary within the salary ordinance.

Moved: Councilman Hurley		Seconded: Councilman Greuter			
Council Member	Yes	No	Abstain	Recuse	Absent
Councilman Greuter	X				
Councilman Haynes	X				
Councilman Hurley	X				
Councilman McDonald	X				
Councilman Smith	X				
Council President Burnside	X				

ORDINANCES, INTRODUCTION

#01-21 Amend Chapter 61, Personnel Policies

Moved: Councilman McDonald		Seconded: Councilman Hurley			
Council Member	Yes	No	Abstain	Recuse	Absent
Councilman Greuter	X				
Councilman Haynes	X				
Councilman Hurley	X				
Councilman McDonald	X				
Councilman Smith	X				
Council President Burnside	X				

Councilman McDonald requested a motion to approve the new organization chart, which includes the new Water Supervisor and DPW Director positions.

Moved	Seconded	Voice Vote	
Councilman Greuter	Councilman Haynes	In favor: X	Against:

Councilman McDonald made a motion to approve the job descriptions for the new Water Supervisor and DPW Director positions.

Moved	Seconded	Voice Vote	
Councilman Haynes	Council President Burnside	In favor: X	Against:

PUBLIC COMMENTS

Joyce Freiermuth, 99 East Flagg Street – Inquired about the open Director of Public Works position and job description. Ms. Freiermuth also thanked the Acting Borough Clerk for assisting with Zoom meetings.

CLOSED SESSION

RESOLUTION 32-21: 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: January 14, 2021

BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, Acting Borough Clerk

BY: Thomas Mulligan, Mayor

Mayor and Council went into closed session at 7:23 p.m. and resumed the public meeting at 7:27 p.m.

ADJOURNMENT

Moved:	Seconded:	Voice Vote		Time
Councilman Greuter	Councilman Smith	In favor: X	Against:	7:28 PM

Kimberly Cuspilich, Acting Borough Clerk

Date approved: _____