

**MAYOR AND COUNCIL**  
**REGULAR MEETING MINUTES**  
**FEBRUARY 9, 2023**  
**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 at the Community Center, 21-25 Union Street, Rockaway, NJ 07866 with Mayor 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 a meeting would take place at 6:30 p.m. on this date.

CALL TO ORDER

Council Member	Present	Absent
Councilman Haynes	<b>X</b>	
Councilman Hurley	<b>X</b>	
Councilman McDonald	<b>X</b>	
Councilman Slockbower	<b>X</b>	
Councilman Smith	<b>X</b>	
Council President Burnside	<b>X</b>	
Mayor Thomas Mulligan	<b>X</b>	
Joseph J. Bell, Esq., Borough Attorney	<b>X</b>	
Joseph J. Bell IV, Esq., Borough Attorney		<b>X</b>
Patricia Reiche, Borough Administrator	<b>X</b>	
Kimberly Cuspilich, Borough Clerk	<b>X</b>	

Everyone present participated in the salute to the flag.

APPROVAL OF MINUTES

Regular Meeting January 12, 2023

Moved	Seconded	Voice Vote	
Councilman Hurley	Councilman Smith	In favor: <b>X</b>	Against:

COUNCIL REPORTS

Councilman Haynes – Public Utility and Works Committee

Councilman Haynes provided an update on the recent activities of the Department of Public Works. The Department of Public Works has removed sand from the walking path at Park Lake and installed silt fence; a natural barrier around the path is being discussed. DPW Director Bill Hopler and Parks and Recreation Director Rob O’Connor met with JCP&L to discuss the streetlight at Tavern on the Rocks and are working on a seasonal decoration plan to be presented at the budget meeting on Saturday, February 11, 2023.

Moved	Seconded	Voice Vote	
Councilman Hurley	Councilman Smith	In favor: <b>X</b>	Against:

Councilman Smith – Public Safety Committee

Councilman Smith provide an update on the recent activities of the Police Department, including 1,329 calls for service, 22 motor vehicle crash investigations, 30 traffic stops, 35 summonses, and 14 arrests between January 12, 2023 and February 9, 2023.

Moved	Seconded	Voice Vote	
Councilman Haynes	Councilman Smith	In favor: <b>X</b>	Against:

Councilman Slockbower – Ordinance Committee

Councilman Slockbower reported that the Ordinance Committee will be meeting on Monday, February 27, 2023.

Councilman Slockbower reported that he attended the Environmental Commission meeting and the River Cleanup was discussed.

Councilman Slockbower reported that he attended the Rockaway, Marcella and Denville Memorial Association meeting. Three separate parades are being planned this year. Mayor Mulligan congratulated Councilman Slockbower on being voted President of the Association for 2023.

Moved	Seconded	Voice Vote	
Councilman Haynes	Councilman McDonald	In favor: <b>X</b>	Against:

Councilman Hurley - Finance and License Committee

*Payment of Bills* - Upon motion by Councilman Hurley, seconded by Council President 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 he, Mayor Mulligan, and Administrator Reiche attended a meeting with Rockaway Valley Regional Sewer Authority (RVRSA) on February 2, 2023.

Councilman Hurley reported that he attended the Community Development Block Grant (CDBG) meeting on February 2, 2023.

Councilman Hurley reported that he attended the Ordinance Committee meeting on February 6, 2023 and the Senior meeting on February 9, 2023, at which Mayor Mulligan swore in the new officers.

Moved	Seconded	Voice Vote	
Councilman Haynes	Councilman Smith	In favor: <b>X</b>	Against:

Councilman McDonald - Personnel Committee

Councilman McDonald reported that second edition of the Recreation Newsletter is now available on the website, the Park Lake playground has been removed in preparation for the installation of the new playground equipment in the Spring, and the next Parks and Recreation Committee meeting is scheduled for February 28, 2023 at 7:00 pm.

Councilman Haynes mentioned that there has been a lot of positive feedback on the newsletter. Mayor Mulligan announced that municipal employees will be spotlighted in future editions.

Moved	Seconded	Voice Vote	
Councilman Smith	Councilman Hurley	In favor: <b>X</b>	Against:

Council President Burnside, Fire Commissioner

Council President Burnside reported that the Fire Department met on February 1, 2023 and scheduled drills for February 8<sup>th</sup> and February 15<sup>th</sup>.

Moved	Seconded	Voice Vote	
Councilman Haynes	Councilman Hurley	In favor: <b>X</b>	Against:

Council President Burnside reported that dog and cat license renewals are due by February 28, 2023 and that free COVID test kits will be available at the Public Library and the Municipal Building.

Moved	Seconded	Voice Vote	
Councilman Hurley	Councilman Smith	In favor: <b>X</b>	Against:

REPORT OF ATTORNEY

The Borough Attorney reported that several tax appeals are ongoing.

Moved	Seconded	Voice Vote	
Councilman Smith	Councilman Hurley	In favor: <b>X</b>	Against:

REPORT OF MAYOR

Mayor Mulligan reported that Tractor Supply will be having a soft opening on February 11, 2023, followed by a grand opening on February 18, 2023 at 8:00 am.

Mayor Mulligan discussed several upcoming projects on Route 46 and the anticipated increase to vehicle and pedestrian traffic and indicated that Mayor Andes has reached out to him regarding a sidewalk project on Franklin Avenue. Denville would take the lead and apply for the grant. At this time, the only request of the Borough of Rockaway is a letter of support.

Mayor Mulligan indicated that a plaque in memory of Councilwoman Joyce Kanigel will be placed in the small park in front of the culvert in the Spring. A date and time will be announced once arrangements have been finalized.

Moved	Seconded	Voice Vote	
Councilman Hurley	Councilman Smith	In favor: <b>X</b>	Against:

REPORT OF ADMINISTRATOR

Administrator Reiche reported that the 2023 Clean Communities clean up event will be held at Park Lake on Earth Day, April 22, 2023.

Administrator Reiche reported that she attended the senior meeting earlier today.

Administrator Reiche reported that she consulted the Borough Auditor and, as long as all planters, decorations, etc. will last a minimum of five years, they can be placed in the capital budget.

Moved	Seconded	Voice Vote	
Councilman Hurley	Councilman Haynes	In favor: <b>X</b>	Against:

REPORT OF CLERK

The Borough Clerk reported that to date 27 OPRA requests have been responded to.

The Borough Clerk reported that the Assembly of God has been confirmed as the polling place for 2023 and that Nominating Petitions for Municipal Offices, as well as County Committee, are now available and that the deadline to return completed petitions to her office is March 27, 2023 at 4:00 pm.

The Borough Clerk announced that the vegetative waste pick-up schedule included in the recycling brochure is incorrect. Blue Diamond cannot accommodate Thursdays, so vegetative waste will now be every other Wednesday April – December. The schedule has been updated on the website and will be posted on Facebook and the electronic sign as well. Postcards will also be sent to each resident.

Moved	Seconded	Voice Vote	
Councilman Smith	Council President Burnside	In favor: <b>X</b>	Against:

CONSENT AGENDA

**RESOLUTION 34-23: AWARD CONTRACT (GARBAGE/RECYCLING RECEPTACLES)**

**WHEREAS**, there exists a need to obtain replacement garbage and recycling receptacles for various facilities throughout the Borough; and

**WHEREAS**, NJ State Contract #16-FLEET000135 exists for the purchase Victor Stanley SDC-36 trash and recycling receptacles from Ben Shaffer Recreation Inc., PO Box 844, Lake Hopatcong, NJ 07849, 973-663-2021; and

**WHEREAS**, a Certificate of 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 replacement garbage and recycling receptacles for various facilities from Ben Shaffer Recreation Inc., PO Box 844, Lake Hopatcong, NJ 07849, 973-663-2021, under NJ State Contract #16-FLEET000135, in an amount not to exceed \$20,097.35.

DATE: February 9, 2023 BOROUGH OF ROCKAWAY

ATTEST: Kimberly Cuspilich, 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 \$20,097.35 are available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Ben Shaffer Recreation Inc., PO Box 844, Lake Hopatcong, NJ 07849, 973-663-2021  
 For the purpose of: Purchasing Replacement Garbage and Recycling Receptacles  
 The funds are available in Current Fund (Grants)  
 Budget Line Item#: 01-290-55-000-036, 01-290-55-000-031, 01-290-55-000-041

DATE: February 9, 2023 BY: Patricia Reiche, CFO/Treasurer

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

ORDINANCES, INTRODUCTION

**23-02 ORDINANCE OF THE BOROUGH OF ROCKAWAY MAYOR AND COUNCIL AMENDING CHAPTER 241, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF ROCKAWAY (EAST NEW STREET/WEST NEW STREET ONE WAY)**

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

**23-03 ORDINANCE OF THE BOROUGH OF ROCKAWAY MAYOR AND COUNCIL AMENDING CHAPTER 241, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF ROCKAWAY (ALLOWING PARKING ON A SECTION OF MANNINO DRIVE ON FRIDAYS BETWEEN 11:30 AM AND 3:30 PM)**

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

PUBLIC COMMENT

Mayor Mulligan opened the meeting to the public.

Joyce Freiermuth, 99 East Flagge Street

Ms. Freiermuth expressed her appreciation for the sand being removed from the walking path at Park Lake. Ms. Freiermuth also expressed her concern regarding parking on Mannino Drive. Mayor Mulligan indicated that Chief Pepperman would attend the public hearing on March 9, 2023. Ms. Freiermuth inquired as to whether the Borough has to pay for sewer flow testing on Franklin Avenue. Administrator Reiche responded that yes, the Borough chose to install meters at our cost so that a baseline could be established. Ms. Freiermuth expressed her belief that the sidewalks should have been requested of the developer currently working on Franklin Avenue.

Bonnie Hook, 23 Jackson Avenue

Ms. Hook discussed a sewer issue that a neighbor is experiencing and asked if it is the responsibility of the homeowner or the Borough of Rockaway to engage Rockaway Valley Regional Sewer Authority (RVRSA). Ms. Hook also expressed her belief that a clean up at Park Lake is unnecessary.

Alice Koller, 31 William Drive

Ms. Koller expressed her appreciation for all of the support the senior group is receiving from the Borough of Rockaway, especially Borough Administrator Patricia Reiche, Parks and Recreation Director Rob O'Connor, and Councilman Hurley.

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

ADJOURNMENT

Moved	Seconded	Voice Vote		Time
Councilman Hurley	Councilman Haynes	In favor: X	Against:	7:15 pm

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Kimberly Cuspilich, Borough Clerk

Date approved: February 26, 2023