

ROCKAWAY TOWNSHIP COUNCIL – JANUARY 5, 2021

The Reorganization Meeting of the Township Council of the Township of Rockaway was held on Tuesday, January 5, 2021. This meeting was held remotely/electronically using the platform Webex Meetings and commenced at 6:30PM.

Deputy Township Clerk welcomed everyone to the Reorganization Meeting of the Township Council for the year 2021.

Deputy Township Clerk stated, “This meeting was advertised in the Daily Record and the Star Ledger, the official newspapers for the Township of Rockaway, on December 14, 2020. Notice was posted on the official bulletin boards of Rockaway Township.”

Deputy Township Clerk lead those present in the Salute to the American Flag.

Deputy Township Clerk called for a Moment of Silence to remember the service and sacrifices of the Armed Service Members who protect our Nation and the First Responders who protect our neighborhoods.

Rabbi Asher Herson of the Chabad Center of Northwest New Jersey, Rockaway Township, presented the Invocation.

Roll Call was taken for attendance.

Present: Council Members Kelley, Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, and Jackson.

Present from Administration: Mayor Michael Puzio, Attorney Iacofano, Attorney Perrone, Ms. Patricia Seger, Mr. David Dyer, Ms. Lisa Palmieri, and Ms. Allison Ferrante.

Deputy Township Clerk stated, “Please be advised that all electronic/remote meetings of the Township Council held on Webex are recorded. All members of the public will be provided the opportunity to speak. During any “public hearing” or “open to the public” sections of the meeting, the Township Clerk will unmute each member of the public and ask if they wish to speak. As per Rockaway Township Code 2-5.14, any person desiring to address the Council shall first seek recognition by the presiding officer; and upon recognition by the chair, the person shall give their name and address for the record. Unless further time is granted by the Council, they shall limit their statement to five minutes. Statements shall be addressed to the Council as a body and not to any member thereof. A Councilman shall not direct any question to a speaker addressing the Council, except through the presiding officer. In addition to speaking on the record during Council Meetings, members of the public may submit questions and comments to the Council by emailing questions@rockawaytownship.org by the end of the “Open to the Public” session.”

Election of Council President:

Motion was made by Council Member Quinn, seconded by Council Member Noon, to nominate Council Member Jackson for Council President.

Motion was made by Council Member Kelley to nominate Council Member Noon for Council President. No one seconded.

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to close the nominations for Council President.

Roll Call was taken to elect Council Member Jackson for Council President:

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 1 (Kelley)

Motion carries.

Mayor Puzio administered the Oath of Office to Council Member Jackson for the position of Council President.

Election of Council Vice-President:

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to nominate Council Member Sackett for Council Vice President.

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to close the nominations for Council Vice President.

Roll Call was taken to elect Council Member Sackett for Council Vice President:

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 1 (Kelley)

Motion carries.

Mayor Puzio administered the Oath of Office to Council Member Sackett for the position of Council Vice President.

Council President Jackson recognized the dignitaries in the audience.

Assemblywoman BettyLou DeCroce congratulated the Council President and Vice President. She reported that she was in Rockaway Township today visiting the mega center which will be a location for administering the vaccine. She stated that she is very proud to have been there and is also proud to represent Rockaway Township.

Assemblyman Jay Webber thanked everyone for their service and wished all a happy New Year, recognizing that 2020 was a difficult year serving on the local level. He

stated that he considers it a true honor to work with everyone and to represent the community.

Senator Joe Pennachio thanked all and said that he wanted to echo the words of Rabbi Herson who spoke so eloquently. He also said that the governing council of Rockaway Township has not let people down and to not hesitate to call him. He wished everyone a happier and healthier 2021.

Sheriff Gannon thanked everyone and said a special congratulations to Council President and Council Vice President. He said that his people along with Office of Emergency Management, Health, and others are at the mega center and to please let him know if there is anything needed as it pertains to the vaccine and the operation of the center.

Morris County Commissioner Tom Mastrangelo wished all a happy New Year and said that he looks forward to working with everyone this year. He said that from the County perspective we will do everything to make sure that the mega center is successful and he has faith that we will get through this.

Tayfun Selen congratulated the Council President and Council Vice President and said he is honored and humbled to be one of the County Representatives.

Mayor's Address:

Mayor Puzio said that before he gives his address, he wants to thank the State and County representatives for their partnership. He extended his best wishes and hope and prayers for a happy and healthy 2021. He said that 2020 was a particularly challenging year due to the COVID-19 pandemic. He continued that he is pleased to report that his administration along with the cooperation of Council was able to make it a year of good government and progress. He encouraged residents to access the Township's Facebook page where he has posted a short video reviewing all that we have been able to accomplish. He said that from his first day of service as your Mayor, his goal has been to provide responsible and open government benefiting all residents and he looks forward to the opportunity to continue to maintain and improve on what he started. He thanked the Business Administrator, department heads and staff for their continued hard work in difficult times, noting that employees and staff have consistently demonstrated commitment to their jobs and concern for the important roles that they all play to make the Township government work. He said that the same goes for the professionals that provide needed assistance on a daily basis. He ended by stating that he is proud to have your confidence and to serve as your Mayor, and together we can look forward to great things in Rockaway Township in 2021.

MAYOR'S APPOINTMENTS:

Mayor Puzio made the following appointments:

Clean Communities Coordinator – 1 Year Term ending 12/31/2021:

Cara Sileno

Community Development Revenue Sharing Committee – 1 Year Terms ending 12/31/2021:

Regular Member:

Peter Tabbot

Alternate Member:

Allison Ferrante

Environmental Advisory Committee – 1 Year Terms ending 12/31/2021:

David Morris

Craig Barkhausen

David Forti

Jerry Applebaum

Judith Brown

Keith D'Angiolillo

Lisa Salberg

Mark Hiler

Parks and Recreation Planning Committee – 1 Year Terms ending 12/31/2021:

Jonathan Sackett, Chair

Douglas Brookes, Sr.

Douglas Brookes, Jr.

Douglas Bratton

Yoginder Gupta

Bryan Coward, Township Liaison

Planning Board – Class II – 1 Year Term ending 12/31/2021:

Capt. Robert Scherr

Recycling Coordinator – 1 Year Term ending 12/31/2021:

Al Knoth

Shade Tree Commission – 1 Year Terms ending 12/31/2021:

Deborah Harrington

Kevin Kasko

Michael Rossellini

Alan Baldwin

MAYOR’S APPOINTMENTS WITH ADVICE AND CONSENT OF THE COUNCIL:

Affordable Housing Officer – 1 Year Term ending 12/31/2021:

Erin Murray

Motion was made by Council Member Kelley, seconded by Council President Jackson, to approve Erin Murray as Affordable Housing Officer.

Roll Call was taken.

Yah Votes: 9 (Kelley, Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Motion carries.

Township Attorney – 1 Year Term ending 12/31/2021:

Iaciofano & Perrone, Esqs.

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to approve Iaciofano & Perrone, Esqs. as Township Attorney.

Roll Call was taken.

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 1 (Kelley)

Motion carries.

Conflicts Counsel – 1 Year Term ending 12/31/2021:

Maraziti Falcon, LLP

Motion was made by Council Member Quinn, seconded by Council Member Noon, to approve Maraziti Falcon, LLP as Conflicts Counsel.

Roll Call was taken.

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 1 (Kelley)

Motion carries.

Labor Counsel – 1 Year Term ending 12/31/2021:

Laddey, Clark & Ryan, LLP

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to approve Laddey, Clark & Ryan, LLP as Labor Counsel.

Roll Call was taken.

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Abstentions: 1 (Kelley)

Motion carries.

Bond Counsel – 1 Year Term ending 12/31/2021:

Hawkins, Delafield & Wood, LLP
Pearlman & Miranda

Motion was made by Council Member Quinn, seconded by Council Member Salberg, to approve Hawkins, Delafield & Wood, LLP and Pearlman & Miranda as Bond Counsel.

Roll Call was taken.

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Abstentions: 1 (Kelley)

Motion carries.

Municipal Prosecutor – 1 Year Term ending 12/31/2021:

Peter J. King, Esq.
Lisa Thompson, Alternate

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to approve Peter J. King, Esq. and Lisa Thompson, Alternate, as Municipal Prosecutor.

Roll Call was taken.

Yah Votes: 9 (Kelley, Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Motion carries.

Public Defender – 1 Year Term ending 12/31/2021:

Joseph O’Toole, Jr., Esq.

Motion was made by Council Member Kelley, seconded by Council Member Quinn, to approve Joseph O’Toole, Jr., Esq. as Public Defender.

Roll Call Was Taken.

Yah Votes: 9 (Kelley, Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Motion carries.

Citizen’s Recreation Committee – 1 Year Term ending 12/31/2021:

Patrick Egan
Thomas Maginley, Chair
Gerard Nolan
Ray Furman
Jackie Baeder
Steve Leo
Amy Kolis
Rich Oler

Ron Cleland
Kevin Tarantino
Tim Forton
Sean Connolly

Council Member Kelley asked that if there is a discrepancy on one or many of these individuals, how should the vote be handled. Attorney Iacofano stated that the Mayor has proposed an entire slate for the committee and you need to vote for the whole slate or vote no.

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to approve members of Citizen's Recreation Committee.

Roll Call Was Taken.

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Abstentions: 1 (Kelley)

Motion carries.

COUNCIL APPOINTMENTS:

16A. Auditor – 1 Year Term ending 12/31/2021:

Nisivoccia & Company, LLP

16B. Planning Board Member – Class III – 1 Year Term ending 12/31/2021:

Jack Quinn

16C. Zoning Board of Adjustment – Full Member – Unexpired 4 Year Term Ending 12/31/2021:

Timothy Scherwa

Jason Smolinski

16D. Zoning Board of Adjustment – 1st Alternate – 2 Year Term Ending 12/31/2022:

Adam Lusardi

16E. Zoning Board of Adjustment – 2nd Alternate – 2 Year Term Ending 12/31/2022:

Manuel Deus

16F. Zoning Board of Adjustment – 3rd Alternate – 2 Year Term Ending 12/31/2022:

Robin Garcia

16G. Zoning Board of Adjustment – 4th Alternate – 2 Year Term Ending 12/31/2022:

Carol Lucus

Council Member Kelley asked about voting on the Council Appointments and suggested that Council vote on individual appointments. Attorney Iacofano said that they can be voted on in bank but if there is anything that a Council Member wants to pick out, he can do that. Council President Jackson said he recommends that these get voted on as one, but if Council Member Kelley would like to make a motion to pull out and vote

individually, he may do so. Council Member Kelley stated that this isn't the correct way of doing this, and Attorney Iacofano stated that it is fine.

Motion was made by Council Member Kelley, seconded by Council Member Kritz, to remove 16F, the Appointment for 3rd Alternate for Zoning Board of Adjustment, Robin Garcia, for a separate vote.

Roll Call Was Taken.

Yah Votes: 7 (Kelley, Quinn, Friedlander, Kritz, Salberg, Brookes, Noon)

Nah Votes: 2 (Sackett, Jackson)

Motion carries.

Motion was made by Council Member Quinn, seconded by Council Member Kelley, to approve 16A, 16B, 16C, 16D, 16E, and 16G.

Roll Call Was Taken.

Yah Votes: 9 (Kelley, Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Motion carries.

There was discussion on 16F. Council Member Kelley said that in the past a resident made a complaint to the Clerk's office and the Board of Adjustment because Ms. Garcia was using his address in Rockaway Township where she no longer resided. He continued that it is a requirement to live in the Township in order to hold this position. He asked if this could be tabled in order to confirm if she lives in the Township. Ms. Ferrante said that this matter has been investigated by the Board of Adjustment Attorney and it was resolved. Council discussed.

Motion was made by Council Member Quinn, seconded by Council Member Noon, to approve 16F.

Roll Call Was Taken.

Yah Votes: 6 (Quinn, Friedlander, Salberg, Noon, Sackett, Jackson)

Nah Votes: 2 (Kelley, Kritz)

Abstentions: 1 (Brookes)

Motion carries.

COUNCIL PRESIDENT APPOINTMENTS:

Council President Jackson said that he is leaving the appointments as they were last year and asked that by the end of this week, if you have interest in being on a committee or stepping down from a committee, to let him know. He stated that since we have the same Council these will remain the same unless he decides to make changes afterwards.

**APPOINTMENTS REQUIRING RESOLUTIONS:
COUNCIL APPOINTMENTS:**

**R-21-12 RESOLUTION APPROVING THE ROCKAWAY TOWNSHIP FIRE
DEPARTMENT OFFICERS**

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION NO. # R-21-12

**RESOLUTION APPROVING THE ROCKAWAY TOWNSHIP FIRE DEPARTMENT
OFFICERS**

BE IT RESOLVED AND IT IS HEREBY APPROVED, the names shown on the attached list, reflecting the Officers in the various Fire Companies of the Rockaway Township Fire Department for the year 2021.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

Motion was made by Council Member Friedlander, seconded by Council Member Quinn, to approve Resolution R-20-12.

Roll Call Was Taken.

Yah Votes: 9 (Kelley, Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Motion carries.

**APPROVAL OF MINUTES:
December 8, 2020 – Regular Meeting**

Motion was made by Council Member Quinn, seconded by Council Member Noon, to approve the December 8, 2020 Minutes.

Roll Call Was Taken.

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes:

Abstentions: 1 (Kelley)

Motion carries.

MOTION TO AFFIRM 2021 ANNUAL MEETING SCHEDULE:

The Council hereby affirms the Annual Meeting Schedule passed by Resolution R-20-196 at the Council Meeting of December 8, 2020.

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to affirm the 2021 Annual Meeting Schedule.

Council Member Kelley asked if the dates were looked at to make sure that there is not overlap with any religious holidays. Council Vice President Sackett confirmed that they were.

Roll Call Was Taken.

Yah Votes: 9 (Brookes, Friedlander, Kelley, Kritz, Noon, Salberg, Quinn, Sackett, Jackson)

Nah Votes: 0

Motion carries.

OPEN TO THE PUBLIC:

Council President Jackson read a public question from Tom Brennan, 6 Stone Ridge Court concerning a reported cyber attack on the Township noting that to date there has never been a public statement on the record regarding the incident, outcome, or the extent of any personal information of residents that may have been compromised. He asked Administration or Council to provide a statement and a redacted third party forensics firm's report of what took place, what systems were impacted, and the results. He also asked if the Township can also verify and confirm that it has taken steps to ensure that its systems can demonstrate reasonable cyber hygiene.

Tom Brennan said that as his email states he is looking for confirmation status as a resident, former planning board member, and former IT committee member. Mayor Puzio stated that he wants to make clear that this happened in 2018 and that he needs to rely on legal counsel but Rockaway Township has done a thorough review and made adjustments. He continued that as far as what can be disseminated, he has to rely on legal counsel since it is an investigation in which items may still be ongoing. Attorney Iacofano responded that last the Township Attorneys have heard, this is still an ongoing

matter with the FBI and he doesn't think anyone from Administration has gotten updates either. Attorney Iacofano continued that he is not comfortable with anyone discussing any of the details of the computer attack and that he will reach out to the Mayor and the Chief to see if they can get current information from the FBI that would enable them to discuss the case more openly. Attorney Iacofano stated that the advice from the FBI was to not discuss anything factually concerning this under any circumstances. Ms. Seger stated that we are a member of JIF, are very familiar with this policy, and have worked with JIF and their attorneys on this whole investigation. Mr. Brennan stated that this is satisfactory feedback and that it should be underscored that no one spoke of this in two years and it is important for the Township to be transparent.

Patrick Egan, 59 Lenox Rd. Mr. Egan wished everyone a happy New Year. He thanked the Rabbi for his incredible words and challenged everyone that these are words to live by. He provided information on girls' recreation softball registration and said they're looking forward to a good year.

Chris Fiduccia, 163 Chestnut Terrace. Mr. Fiduccia said that he is just here to listen and learn, and wished everyone a happy New Year.

Jim Warters, 48 Seneca Ave. Mr. Warters wished everyone a happy New Year and expressed his appreciation to Council and Administration for the yeoman effort put in for 2020 and for the anticipated above average effort that 2021 will require.

William Schievella wished everyone a happy New Year and said to keep up the great work.

ORDINANCE TO ADOPT:

O-20-35 AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATIVE CODE, ARTICLE 2-5.2 ENTITLED "REGULAR MEETINGS" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROCKAWAY.

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

ORDINANCE # O-20-35

**AMENDING CHAPTER 2, ADMINISTRATIVE CODE, ARTICLE 2-5.2
ENTITLED "REGULAR MEETINGS" OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF ROCKAWAY**

WHEREAS, N.J.S.A. 40:48-2 permits a municipality to make and amend an ordinance as it may deem necessary and proper for good government, order, and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Township of Rockaway ("Township") desires to amend Chapter 2, Administrative Code Article 2-5.2, of the revised General Ordinances to provide for specific references to applicable law regarding the Council's legal authority and also its legal obligation to provide a schedule for its Annual Regular Council Meetings to comply with the Open Public Meetings Act and to ensure that all terms of elected officials commence as of the first day of January after elections occur.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Rockaway, County of Morris, State of New Jersey as follows:

2-5.2 Regular Meetings.

In accordance with applicable law (N.J.S.A. 40:69A-36(g)) the Council has the absolute authority and is required to pass a resolution (N.J.S.A. 10:4-18) scheduling its annual regular council meetings. In order to ensure commencement of mayoral and council terms of office as of January 1 after elections have been held, the annual reorganization meeting shall be scheduled on any day during the first week in January (N.J.S.A. 40:45A-1). The Council will agree to meet regularly thereafter on the second and fourth Tuesdays of each month. If a regular meeting falls on a legal holiday or such other day when the Council determines that it would be inappropriate to hold a meeting, the Council, by resolution, shall set the time and place of the next scheduled regular meeting. Except in cases of emergency, all regular meetings of the Township Council shall adjourn not later than 11:00 p.m.

SECTION 3. All ordinances of the Township of Rockaway that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect upon final passage and approval in accordance with law.

PURPOSE

The purpose of this Ordinance is to provide the legal bases and rationale for the Ordinance's content while it recognizes the Council's statutory right to exercise discretion in the scheduling of Council Meetings.

CERTIFICATION

I, Elizabeth Peterson, Deputy Township Clerk of the Township of Rockaway hereby certify the foregoing to be a true copy of a Resolution adopted

by the Township Council of the Township of Rockaway at a duly convened meeting held on _____, 2021.

Michael Puzio, Mayor

Elizabeth Peterson, Deputy Clerk

Approved:

Council President (Print/Sign)

PUBLIC HEARING/COUNCIL DISCUSSION:

There were no comments from the Public.

Council Member Kelley said that he is double-checking again and asked if the ordinance expired because it was carried over from 2020. Attorney Iacofano said that his advice is the same as it was at the prior meeting.

Motion was made by Council Member Kelley to table O-20-35. No one seconded.

Motion was made by Council Member Quinn, seconded by Council Member Salberg, to approve Ordinance O-20-35.

Roll Call Was Taken.

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Abstentions: 1 (Kelley)

Motion carries.

ORDINANCE TO INTRODUCE:

O-21-01 AN ORDINANCE AMENDING CHAPTER 6 ENTITLED "ALCOHOLIC BEVERAGE CONTROL" OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF ROCKAWAY

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

ORDINANCE # O-21-01

AN ORDINANCE AMENDING CHAPTER 6 ENTITLED “ALCOHOLIC BEVERAGE CONTROL” OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF ROCKAWAY

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Council wishes to amend Chapter 6, Alcoholic Beverage Control, of the Revised General Ordinances of the Township of Rockaway, to more comprehensively reference applicable New Jersey Law (Sections 6-1, 6-4.2), and to amend sections controlling "Hours of Sale" (Sections 6-4.1, 6-4.2, and 6-4.3), which currently prohibit the sale of alcoholic beverages from 2:00 A.M. to 7:00 A.M. on every day except Sundays and New Year’s Day on which days such sales are currently prohibited from 2:00 A.M. to 11:00 A.M.; and

WHEREAS, in an effort to assist Township businesses wherever and whenever possible in the context of the Covid-19 economic recovery and for the sake of uniformity the Township of Rockaway desires to amend Chapter 6 of the Revised Ordinances of the Township of Rockaway, to prohibit alcoholic beverage sales from 2:00 A.M. to 7:00 A.M. on every day.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Rockaway, County of Morris, State of New Jersey, that Article 6 Sections 6-1, 6-4.1, 5-4.2, and 6-4.3 of the General Ordinances of the Township of Rockaway are hereby amended as follows:

SECTION 1:

§ 6-1 Purpose.

This chapter is enacted to regulate the sale, distribution, consumption, and transportation of alcoholic beverages in the Township of Rockaway in accordance with the provisions of N.J.S.A. 33:1-1 et seq., the rules and regulations set forth in N.J.A.C. 13-2-1 et seq., and as otherwise may be required by the Director of the New Jersey Division of Alcoholic Beverage Control.

§6-4.1 Hours of Sale

[Ord. No. 21-01]

No alcoholic beverages shall be sold, delivered, served, or consumed in any licensed premises between the hours of 2:00 a.m. and 7:00 a.m. on every day.

§6-4.2

During hours in which the sales of alcoholic beverages are not prohibited by §6-4.1, such sales shall be prohibited as required by the applicable provisions of N.J.S.A. 33:1-1 et seq., N.J.A.C. 13:2-1 et seq., or by the Director of the Division of New Jersey Alcoholic Beverage Control.

§6-4.3 New Year's Day - Repealed.

SECTION 2. All Ordinances of the Township of Rockaway which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect as provided by law.

PURPOSE

The purpose of the amendment is to more comprehensively reference controlling New Jersey Law and regulation, and to assist Township retail package goods licensees in the context of the Covid-19 economic recovery and generally. It is anticipated that these amendments will enhance package goods sales by increasing Sundays and New Year's Day hours of distribution and will level the playing field for Rockaway licensees in relation to similar businesses in neighboring municipalities.

CERTIFICATION

I, Elizabeth Peterson, Deputy Township Clerk of the Township of Rockaway hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on _____, 2021.

Michael Puzio, Mayor

Elizabeth Peterson, Deputy Clerk

Approved:

Council President (Print/Sign)

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to introduce Ordinance O-21-01.

Roll Call Was Taken.

Yah Votes: 8 (Kelley, Quinn, Friedlander, Kritz, Salberg, Noon, Sackett, Jackson)

Nah Votes: 0

Abstentions: 1 (Brookes)

Motion carries.

CONSENT AGENDA:

R-21-01 RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER OR THE BUSINESS ADMINISTRATOR TO DETERMINE THE CIRCUMSTANCES UNDER WHICH THE CERTIFICATION REQUIREMENTS RESPECTING CLAIMS FOR PAYMENT MADE TO THE TOWNSHIP MAY BE FORGIVEN

R-21-02 A RESOLUTION ESTABLISHING TEMPORARY APPROPRIATIONS FOR THE TOWNSHIP OF ROCKAWAY FOR 2021

R-21-03 RESOLUTION DESIGNATING THE OFFICIAL BULLETIN BOARD FOR THE TOWNSHIP OF ROCKAWAY FOR THE YEAR 2021

R-21-04 RESOLUTION AUTHORIZING THE EXECUTION OF A CASH MANAGEMENT PLAN FOR THE TOWNSHIP OF ROCKAWAY

R-21-05 RESOLUTION AUTHORIZING ADMINISTRATOR OF THE MUNICIPAL COURT TO COLLECT MONEYS AND FEES AND DEPOSIT THEM IN A DESIGNATED DEPOSITORY

R-21-06 RESOLUTION ESTABLISHING PETTY CASH FUNDS AND DESIGNATING THE PERSON RESPONSIBLE FOR SUCH

R-21-07 RESOLUTION DESIGNATING THE FEE FOR RECEIVING NOTICES THROUGHOUT THE YEAR 2021

R-21-08 RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPERS FOR THE TOWNSHIP OF ROCKAWAY FOR THE YEAR 2021

R-21-09 RESOLUTION DESIGNATING OFFICER TO PROVIDE SURETY BONDS ON VARIOUS EMPLOYEES AND APPOINTEES OF THE TOWNSHIP OF ROCKAWAY

R-21-10 RESOLUTION AUTHORIZING THE DEFENSE, PROSECUTION AND SETTLEMENT OF TAX APPEALS

R-21-11 RESOLUTION AUTHORIZING THE TOWNSHIP OF ROCKAWAY TO JOIN MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM (McARP)
R-21-13 RESOLUTION AUTHORIZING CANCELLATION OF SMALL BALANCES LESS THAN \$10.00
R-21-14 RESOLUTION DESIGNATING OFFICER TO CERTIFY UNPAID MUNICIPAL LIENS
R-21-15 RESOLUTION TO CHARGE 6% YEAR END PENALTY
R-21-16 RESOLUTION ESTABLISHING INTEREST ON DELINQUENT TAXES
R-21-17 RESOLUTION AUTHORIZING SEWER ASSESSMENT PAYMENTS
R-21-18 RESOLUTION GRANTING AUTHORIZATION TO RETAIN PROFESSIONAL SERVICES THE COST OF WHICH IS ANTICIPATED TO EXCEED THE BID THRESHOLD IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW
R-21-19 AUTHORIZING PURCHASE OF CERTAIN GOODS AND SERVICES THROUGH THE USE OF STATE, COUNTY AND REGIONAL COOPERATIVE CONTRACTS FOR YEAR 2021
R-21-20 APPOINTING TOWNSHIP ASSISTANT BUSINESS ADMINISTRATOR AS ADA COORDINATOR FOR 2021
R-21-21 APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER FOR THE CALENDAR YEAR 2021
R-21-22 RESOLUTION DESIGNATING COURT ATTENDANTS FOR THE YEAR 2021
R-21-23 AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR (POCKET) LICENSE FOR THE PERIOD OF JULY 1, 2020 TO JUNE 30, 2021
R-21-24 A RESOLUTION AUTHORIZING THE EXECUTION OF A MUNICIPAL SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF ROCKAWAY AND THE BOROUGH OF ROCKAWAY RESPECTING ONGOING MAINTENANCE OF PARK LAKE
R-21-25 RESOLUTION ESTABLISHING A SPECIAL EVENT PERMIT FEE FOR THE TOWNSHIP OF ROCKAWAY, COUNTY OF MORRIS, STATE OF NEW JERSEY, PURSUANT TO TOWNSHIP ORDINANCE O-20-13 FOR THE CALENDAR YEAR 2021
R-21-26 RESOLUTION ADOPTING SPENDING PLAN

TOWNSHIP OF ROCKAWAY

MORRIS COUNTY, NEW JERSEY

RESOLUTION # R-21-01

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER OR THE BUSINESS ADMINISTRATOR TO DETERMINE THE CIRCUMSTANCES UNDER WHICH THE CERTIFICATION REQUIREMENTS RESPECTING CLAIMS FOR PAYMENT MADE TO THE TOWNSHIP MAY BE FORGIVEN

WHEREAS, N.J.S.A. 40A:5-16 (a) provides that all persons making a claim for payment for goods or services from a local government unit such as the Township of Rockaway (hereinafter "Township") are required to supply a certification that such goods and services have been provided before such payment may be authorized by the Township; and

WHEREAS, N.J.A.C. 5:30-9A.6 and N.J.S.A. 40A:5-16 (c) provide for exceptions to the claimant certification requirement aforesaid by giving the Township the discretion to forgive the claimants' certification requirement as it deems necessary and appropriate; and

WHEREAS, the Chief Financial Officer and the Township Business Administrator are responsible for the receipt, inspection, approval, and payment of all claims for payment made on the Township; and

WHEREAS, the Chief Financial Officer and the Township Business Administrator hereby request that they be authorized to determine the appropriate circumstances in which claimant certification requirements will be forgiven except for claims for Refunds, Advance Payments, Employee Reimbursements and for services provided exclusively and entirely by one individual (i.e. sole proprietors); and

WHEREAS, the Chief Financial Officer and the Township Business Administrator have recommended the adoption of this Claimant Signature policy.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Rockaway, County of Morris, and State of New Jersey that effective immediately, the Township Administrator or the Chief Financial Officer shall, in their discretion, have the authority to forgive claimants' certification requirements for all claims for payment made on the Township except claims for Refunds, Advance Payments, Employee Reimbursements and for services provided exclusively and entirely by one individual.

I HEREBY CERTIFY the above to be a true copy of Resolution Adopted by the Township Council of the Township of Rockaway, County of Morris, and State of New Jersey at a duly convened meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

 Council President (Print/Sign)

TOWNSHIP OF ROCKAWAY					
MORRIS COUNTY, NEW JERSEY					
RESOLUTION # R-21-02					
A RESOLUTION ESTABLISHING TEMPORARY APPROPRIATIONS					
FOR THE TOWNSHIP OF ROCKAWAY FOR 2021					
WHEREAS,		N.J.S.A. 40A:4-19 Local Budget Law provides that where any			
contracts, commitments or payments are to be made prior to the final adoption of the					
2021 budget, temporary appropriations should be made for the purpose and amounts					
required in the manner and time therein					
provided and,					
WHEREAS,		the total appropriations in the 2020 budget, less			
appropriations					
made for the Capital Improvement Fund, Debt Service, and Relief for the Poor (Public					
Assistance) are as					
follows:					
CURRENT FUND				\$	36,652,272.60
WATER UTILITY FUND				\$	2,067,495.00
WHEREAS,		26.25% of the total appropriations in the 2020 budget			
less					
appropriations for Capital Improvement Fund, Debt Service, and Relief for the Poor					
(Public Assistance) in the said budget is as					
follows:					
CURRENT FUND				\$	9,621,221.00
WATER UTILITY FUND				\$	542,717.00

		NOW, THEREFORE BE IT RESOLVED			by the Township Council of the
		Township of Rockaway, County of Morris, that the following temporary appropriations			
		be made and that a certified copy of this resolution be transmitted to the Finance			
		Department for their			
		records.			
		I HEREBY CERTIFY			the above to be a true copy of a Resolution adopted
		by the Township Council of the Township of Rockaway at a duly convened meeting			
		held on January 5, 2021.			
					Elizabeth Peterson, Deputy Township Clerk
		Approved:			
		Council President			
		(Print/Sign)			

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-03

**RESOLUTION DESIGNATING THE OFFICIAL BULLETIN BOARD FOR THE TOWNSHIP OF ROCKAWAY FOR
THE YEAR 2021**

WHEREAS, the New Jersey Open Public Meetings Act requires that the Township of Rockaway post certain notices at a central location.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Rockaway that notices to be posted as required by the New Jersey Open Public Meetings Act are to be posted on the Bulletin Boards maintained by the Township Clerk in the Municipal Building and to the left of the Municipal Building entrance, and in the Rockaway Township Main Library.

I **HEREBY CERTIFY** the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-04

**RESOLUTION AUTHORIZING THE EXECUTION OF A CASH MANAGEMENT
PLAN FOR THE TOWNSHIP OF ROCKAWAY**

WHEREAS, it is in the best interest of the Township of Rockaway to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS, this requires that each local unit shall adopt a cash management plan.

NOW, THEREFORE, BE IT RESOLVED that the following shall constitute the Cash Management Plan for the Township and the Treasurer shall deposit and manage its funds pursuant to this plan:

Definitions

1. Treasurer shall mean the Chief Financial Officer of the Township of Rockaway.
2. Fiscal Year shall mean the twelve-month period ending December thirty-one.

3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

Lakeland Bank, Bank of America, Valley National Bank, Santander Bank, TD Bank, Provident Bank, Bayonne Community Bank, Fulton Bank of New Jersey, Investors Savings Bank, Peapack-Gladstone Bank, Picatinny Federal Credit Union and Affinity Federal Credit Union.

Audit Requirement

1. The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

Authority to Invest

1. The Treasurer shall be responsible for municipal deposits and investments.

Investment Instruments

1. The Treasurer shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-15.1.

Records and Reports

1. The Treasurer shall report all investments in accordance with N.J.S.A. 40A:5-15.2.
2. At a minimum the Treasurer shall:
 - a. Keep a record of all investments.
 - b. Keep a cash portion record which reveals, on a daily basis, the statute of the cash in its bank accounts.
 - c. Confirm investments with the governing body at the next regularly scheduled meeting.
 - d. Report monthly to the governing body as to the status of cash balances in bank accounts, revenue collection, interest rates and interest earned.

Cash Flow

1. The Treasurer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
2. All moneys, shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A:5-15.
3. The Treasurer is authorized and directed to invest surplus funds of the Township of Rockaway as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the moneys in interest bearing accounts wherever practical and in the best interest of the Township of Rockaway.
4. The Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-05

**RESOLUTION AUTHORIZING ADMINISTRATOR OF THE MUNICIPAL COURT TO COLLECT MONEYS AND
FEES AND DEPOSIT THEM IN A DESIGNATED DEPOSITORY**

BE IT RESOLVED that pursuant to N.J.S.A. 40A:5-14, the Administrator of the Municipal Court of the Township of Rockaway shall cause all moneys and fees collected in her custody to be deposited only in a designated depository for the Township of Rockaway in a Court Administrator's Account, and that all Warrants drawn on said Account shall be by the Court Administrator of the Township of Rockaway for the calendar year 2021.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on
January 5, 2021.

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-06

RESOLUTION ESTABLISHING PETTY CASH FUNDS AND DESIGNATING THE PERSON RESPONSIBLE

FOR SUCH

BE IT RESOLVED, that a Petty Cash Fund be and is hereby established for the various Departments of Rockaway Township as listed below:

<u>DEPARTMENT</u>	<u>AMOUNT</u>	<u>PERSON RESPONSIBLE</u>
POLICE	\$500.	MARTIN McPARLAND
ADMINISTRATION	\$400.	CHRISTINA CLIPPERTON
ROADS	\$200.	AL KNOTH
RECREATION	\$200.	BRYAN COWARD
SUMMER RECREATION	\$300.	BRYAN COWARD
HEALTH	\$200.	PETER TABBOT
WATER	\$150.	AL KNOTH
COURT	\$150.	MARY CONWAY

An account of said Petty Cash Funds shall be rendered monthly and returned to the Township Treasurer by way of refund on or before December 31, 2021.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-07

**RESOLUTION DESIGNATING THE FEE FOR RECEIVING NOTICES
THROUGHOUT THE YEAR 2021**

WHEREAS, the New Jersey Open Public Meetings Act provides that any person may request a Public Body mail to them copies of any Regular Meeting Schedule and revision, and any advance notice of Meetings upon prepayment of such person of a reasonable sum, if any such sum has been fixed by Resolution of the Governing Body to cover the cost of providing such Notice.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Rockaway as follows:

1. That the fee to be paid by persons desiring Notice as above described, pursuant to the New Jersey Open Public Meetings Act, for the year 2021 is \$45.00.
2. That all requests for Notices shall terminate at midnight on December 31st of each year.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY

RESOLUTION # R-21-08

**RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPERS FOR THE TOWNSHIP OF ROCKAWAY FOR THE
YEAR 2021**

WHEREAS, the New Jersey Open Public Meetings Act requires the relevant Governing Body to, by Resolution, select official newspapers to be recipients of Notices required by said Act.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Rockaway that the Daily Record be the primary official newspaper for the calendar year 2021, and that the Star Ledger and The Citizen are selected as official newspapers in the event that the Daily Record is unable to publish required notices or in the event that a notice requires notification to more than one official newspaper.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-09

**RESOLUTION DESIGNATING OFFICER TO PROVIDE SURETY BONDS ON VARIOUS EMPLOYEES AND
APPOINTEES OF THE TOWNSHIP OF ROCKAWAY**

BE IT RESOLVED, that the Township Clerk be and is hereby designated as the Officer to provide Surety Bonds on the Various Employees and Appointees of the Township of Rockaway for the year 2021.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY

RESOLUTION # R-21-10

RESOLUTION AUTHORIZING THE DEFENSE, PROSECUTION AND SETTLEMENT OF TAX APPEALS

WHEREAS, the Township Council of the Township of Rockaway (“Township”) has determined to authorize the Tax Assessor of the Township with the advice and consent of the Township Attorney, to defend tax appeals brought against the Township and stipulate the settlements with respect to certain tax appeals and to take appeals, as he shall determine to be necessary.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Rockaway, County of Morris, and the State of New Jersey, they being the Governing Body thereof, as follows:

1. The Tax Assessor of the Township of Rockaway is hereby authorized, on behalf of the Township of Rockaway, with the advice and consent of the Municipal Attorney, to prosecute and defend tax appeals and to settle tax appeals where the reduction does not exceed \$1,000,000.00 of assessed value. All settlements in excess of \$1,000,000.00 of assessed value require the approval of the Council.
2. The Tax Assessor shall submit monthly reports to the Township with respect to all settlements.
3. A copy of this Resolution shall be sent to the Tax Assessor of the Township of Rockaway and the Morris County Board of Taxation.
4. This resolution shall take effect immediately.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-11

RESOLUTION AUTHORIZING THE TOWNSHIP OF ROCKAWAY TO JOIN MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM (McARP)

WHEREAS, there has been created a Morris County Adaptive Recreational Program (McARP); and

WHEREAS, said program intends to provide recreational services for persons with disabilities of all ages, and further to give said persons an opportunity to explore new leisure time skills in conjunction with their age and specific disabilities; and

WHEREAS, the total project cost is estimated to be approximately \$300,000.00; and

WHEREAS, the Township of Rockaway cost with respect thereto will be approximately \$3,259.00 Fair Share Assessment (FSA).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Rockaway as follows:

1. That the Township of Rockaway hereby intends to join the Morris County Adaptive Recreational Program (McARP) as described above and contribute thereto in the amount not in excess of Fair Share Assessment (FSA) for one year.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION NO. # R-21-13

**RESOLUTION AUTHORIZING CANCELLATION OF
SMALL BALANCES LESS THAN \$10.00**

WHEREAS, P.L. 1983, c. 568 (C.40A:5-17.1) provides that the governing body of a municipality may, by resolution, authorize the cancellation of any property tax refund or delinquency of less than \$10.00; and

WHEREAS, section 1 of P.L. 1983, C.568 (C. 40A:5-17.1) is amended to include the cancellation of any charges and fees imposed by the municipality of less than \$10.00.

THEREFORE, BE IT RESOLVED, by the governing body of the Township of Rockaway to authorize the tax collector to cancel such small balances and adjust her records accordingly.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector, Chief Financial Officer and the Municipal Auditor.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on **January 5, 2021**.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION NO. # R-21-14

RESOLUTION DESIGNATING OFFICER TO CERTIFY UNPAID MUNICIPAL LIENS

BE IT RESOLVED, that pursuant to N.J.S.A. 54:5-11 the Tax Collector be and is hereby designated as the Tax Search Officer pursuant L.O. 2-13.5 (8) to make examination of the Records as to unpaid Municipal Liens and to certify the results thereof upon request for such searches for the year 2021.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be returned to the Tax Collector.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on **January 5, 2021**.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-15

RESOLUTION TO CHARGE 6% YEAR END PENALTY

WHEREAS, N.J.S.A. 54:4-67(d) authorizes the Governing Body to fix a 6% Penalty for delinquent principal and interest for real property taxes, assessments, and all municipal charges, which, in total are in excess of \$10,000.00, when such delinquency in excess of \$10,000 remains unpaid as of the close of business on December 30th; and

NOW, THEREFORE, BE IT RESOLVED, that the 6% year-end Penalty shall be calculated and charged in addition to all other unpaid principal and interest applicable to the total delinquency.

BE IT FURTHER RESOLVED that a certified copy of this resolution be returned to the Tax Collector.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on **January 5, 2021**.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-16

RESOLUTION ESTABLISHING INTEREST ON DELINQUENT TAXES

WHEREAS, N.J.S.A. 54:4-67 permits municipalities to charge interest on Delinquent Taxes at the Rate of 8% for the first \$1,500.00 of delinquency and 18% on amounts in excess thereof; and

WHEREAS, N.J.S.A. 54:4-66(a) establishes due dates for the payment of current year quarterly real property taxes as being February 1, May, 1, August 1 and November 1 and further establishes that tax payments received thereafter are delinquent; and

WHEREAS, pursuant to Township Administrative Code 2-13.5 it has been the practice of the Township Department of Revenue to calculate and charge interest for the delinquent payment of taxes in accordance with applicable law; and

WHEREAS, pursuant to the parameters set forth in N.J.S.A. 54:4-67 (a) (1) and N.J.S.A. 54:4-64 (a)(4) it has been the practice of the Township Department of Revenue to extend the time for the receipt of current year quarterly taxes as is set forth in such statutes: and

WHEREAS, after due consideration, the Council desires to establish the 2021 rates at which interest shall be charged for Delinquent Taxes, and to memorialize its practices of granting Rockaway Township taxpayers' extensions of time for the payment of quarterly real property taxes and determining the dates upon which interest for Delinquent Taxes begins to accrue.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Interest shall be charged on current year delinquent real property taxes in any quarter when payment is received by the Township after the last day of any applicable extension period set forth in N.J.S.A. 54:4-67 (a) (1) and N.J.S.A. 54:4-64 (a)(4).
2. Interest to be applied on Delinquent Taxes by the Township's Department of Revenue shall be 8% on the first \$1,500.00 and 18% on the remainder thereof, for the calendar year **2021**;
3. Interest applicable to Delinquent Taxes shall continue to begin to accrue on and be calculated from the due dates for the payment of current year quarterly real property taxes set forth in N.J.S.A. 54:4-66(a);

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be returned to the Tax Collector.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-17

RESOLUTION AUTHORIZING SEWER ASSESSMENT PAYMENTS

WHEREAS, the Township Council has initiated a program of assessing property owners for sewer payments over a 20 year period; and

WHEREAS, on occasion property owners are unable to make the periodic payments as scheduled; and

WHEREAS, it is in the best interest of the Township and the property owners that some relief be granted in the form of late payment allowance, 5 year assessment payment plan, or other form of relief; and

WHEREAS, it has become cumbersome for the Township Council to review each application for relief; and

WHEREAS, the Administration has agreed to perform this process for the Township Council.

NOW, THEREFORE, BE IT RESOLVED that until the powers granted hereby are withdrawn or amended by subsequent resolution of the Township Council, the Business Administrator and / or the Chief Financial Officer shall be granted and are hereby authorized to perform this review process for sewer assessment relief, and to grant said relief in accordance with the New Jersey Statutes.

BE IT FURTHER RESOLVED that property owners denied relief from the Administration may appeal said decision to the Township Council.

I HEREBY CERTIFY the above to be a true copy of a resolution adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on **January 5, 2021**.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-18

**RESOLUTION GRANTING AUTHORIZATION TO RETAIN PROFESSIONAL
SERVICES THE COST OF WHICH IS ANTICIPATED TO EXCEED THE BID
THRESHOLD IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW**

WHEREAS, the N.J.S.A. 40A:11-1 et seq. known as the Local Public Contracts Law, requires that all Contracts or Agreements for the performance of any work, shall not be made or awarded unless Public advertising for Bids and bidding, therefore, is solicited; and

WHEREAS, N.J.S.A. 40:11-5 provides that any Contract or Agreement may be made, negotiated or Awarded without Public advertising or Bids and bidding, therefore, if the subject matter, consists of Professional Services, rendered or performed by a person authorized by Law to practice a recognized professional and

WHEREAS, the Township of Rockaway has need for such Professional Services, which Services will be performed by persons authorized by Law to practice a recognized professional as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5.

WHEREAS, the Business Administrator has determined and certified in writing that the value of the aforementioned contracts as/is are anticipated to exceed \$44,000.00

WHEREAS, the Township of Rockaway desires to award the contracts subject to the receipt of an appropriate Business Entity Disclosure Certification and to make this Resolution effective upon the receipt of an appropriate Business Entity Disclosure Certification.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Rockaway as follows:

- A. That in accordance with provision of N.J.S.A. 40A:11-1, the Award of Contracts for the following enumerated Services, without the advertising for and the receipt of Bids for such work, inasmuch as they are Professional Services as set forth in said Statute is hereby approved and the Mayor and Township Clerk are hereby authorized to sign and enter into the same on behalf of the Township of Rockaway:

Company	Profession	Contract Not to Exceed
• Appraisal Systems	Appraisal	\$65,000.00
• Bell, Shivas & Fasolo, P.C.	Attorney	\$50,000.00
• Boswell Engineering, Inc.	Engineer	\$50,000.00
• Burgis Associates, Inc.	Planning Consultant & Engineer	\$100,000.00
• Connolly & Hickey Historical Architects	Architect	\$150,000.00
• Crew Engineers, Inc.	Sewer Engineer	\$50,000.00
• Dewberry Engineers Inc.	Engineer	\$200,000.00
• Gates Architectural Design, Inc.	Architect	\$50,000.00
• Haley & Aldrich, Inc.	Engineer	\$175,000.00
• Hawkins, Delafield & Wood, LLP	Attorney	\$65,000.00
• Iaciofano & Perrone ESQS	Attorney	\$400,000.00
• Izenberg Appraisal Associates	Appraisal	\$85,500.00
• Green-Pedersen Inc. (GPI)	Engineer	\$100,000.00

• Laddey, Clark & Ryan	Attorney	\$100,000.00
• Maraziti Falcon, LLP	Attorney	\$100,000.00
• Nisivoccia & Company, LLP	Auditor	\$132,000.00
• Peter King, LLC	Attorney	\$45,000.00
• Princeton Hydro	Engineer	\$200,000.00
• Dimin & Fierro	Attorney	\$30,000.00
• The Buzak Law Group LLC.	Attorney	\$100,000.00
• Kris Wilsussen, MCHES	Health Educator	\$40,000.00
• ARGA Environmental & Lab. Services	Environmental Services	\$50,000.00

B. The award of this contract is subject to each appropriate business entity listed herein completing and submitting an appropriate Business Entity Disclosure Certification which certifies that said business entity has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission, pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004 c.19 affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract or any political party committee in the Township of Rockaway if a member of that political party is serving in an elective public office of the Township of Rockaway when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of Rockaway when the contract is awarded.

C. This Resolution shall be printed once in the Official Newspaper of the Township of Rockaway.

D. This Resolution shall take effect as provided herein.

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY

RESOLUTION # R-21-19

**AUTHORIZING PURCHASE OF CERTAIN GOODS AND SERVICES THROUGH THE
USE OF STATE, COUNTY AND REGIONAL COOPERATIVE CONTRACTS FOR
THE YEAR 2021**

WHEREAS, the Local Public Contracts Law 40A:11-4 requires that every contract awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

WHEREAS, the State of New Jersey (State) and/or the Morris County Cooperative Pricing Council (MCCPC) and/or Somerset County Cooperative (SOCCP) and/or Middlesex Regional Educational Services Commission (MRESC), Union County Cooperative (UCNJ), and/or Bergen County Cooperative Purchasing System (Bergen) have awarded contracts to various vendors as lowest responsible, responsive bidders for State, County and Regional Cooperative Pricing contracts; and

WHEREAS, the Township wishes to facilitate the purchase of goods and services by way of resolution for the purchase of items which are regularly used in connection with the Township's provision of services to the residents; and

WHEREAS, the Township of Rockaway desires to authorize the purchase of such items through approved State, MCCPC, SOCCP, MRESC, UCNJ, and/or Bergen contract vendors whether or not the cost of such items either individually or in the aggregate may exceed the prevailing bid threshold; and

WHEREAS, the list of the State, SOCCP, MRESC, MCCPC, UCNJ and Bergen vendors whose goods and services the Township seeks to use by way of resolution are identified along with their State, SOCCP, MRESC, MCCPC, UCNJ, and Bergen contract numbers as follows:

Cooperative Agency	Contract Number	Vendor	Commodity
ESCNJ	ESCNJ/AEPA - 20A	FieldTurf	Tracks and Courts
ESCNJ	MRESC 17/18-52	Magic Touch Construction	Job Order Contracting - Plumbing
ESCNJ	ESCNJ 20-21-03	Murray Contracting	Job Order Contracting - Repair and Maintenance
ESCNJ	ESCNJ 18/19-66	Murray Contracting	Paving Services - Repair and Maintenance - Job Order Contracting
ESCNJ	ESCNJ 18/19-65	Lighton Industries, Inc.	HVAC Services - Job Order Contracting Repair and Maintenance
MCCPC	15A	Beyer	Police Pursuit Vehicles
MCCPC	52	Absolute Protection, Haig's Service	Fire Alarms, Sprinklers, Standpipe Systems & Fire Pumps
MCCPC	40	All Hands Fire Equipment	Personal Protection Items & Equipment for Emergency Personnel
MCCPC	1	Allied Oil & Petroleum Traders Corporation	Motor Gasoline
MCCPC	12	Allied Oil & Petroleum Traders Corporation	Ultra Low Sulfur Diesel Fuel
MCCPC	43	Amerigas Propane, L.P.	Propane Gas
MCCPC	3	Atlantic Salt	Rock Salt & Calcium Chloride
MCCPC	46	Atlantic Switch & Generator LLC	Generator Preventive maintenance/repair
MCCPC	14	Campbell Foundry	Catch Basins, Manholes Castings
MCCPC	13-B	Campbell Supply Co. LLC	Fire Water Pumps on Motorized Fire Apparatus
MCCPC	53	Challenger Fence & Fox Fence	Fencing Materials and Installation
MCCPC	38	Communications Specialists	Preventative Maintenance / Repair of Communications Equipment
MCCPC	19	Continental Hardware	Concrete Blocks & Granite Curb Blocks
MCCPC	24	County Concrete, Extech	Bagged Cement & Poured Concrete
MCCPC	8	David Weber Oil	Antifreeze
MCCPC	11	David Weber Oil & Chemsearch	Motor oils and Misc. Lubricants
MCCPC	36	Denville Line Painting	Traffic Striping on Roadways
MCCPC	9	Eastern Concrete Materials, Inc.	Crushed Stone, Gravel and Sand
MCCPC	7	Ferguson Enterprises, LLC	Drainage Pipe
MCCPC	2	Finch Fuel Oil Company, Inc.	#2 Fuel Oil (for heating)
MCCPC	40	Firefighter One	Personal Protection Items & Equipment for Emergency Personnel

MCCPC	13-A	Firefighter One LLC / Witmer Public Safety Group / City Fire / Fail Safe Testing LLC	Fire Equipment Services
MCCPC	40	First Battalion Firefighter Equipment	Personal Protection Items & Equipment for Emergency Personnel
MCCPC	40	Gen-El Safety & Industries	Personal Protection Items & Equipment for Emergency Personnel
MCCPC	33	Hanson Aggregates	Clay for Athletic Fields
MCCPC	31	Levitt's LLC	Calcium Chloride Bags
MCCPC	21	Morris Asphalt Company	Oil and Stone Treatment
MCCPC	41	Northeast Communications	Communication Equipment (Radios)
MCCPC	25	Office Concepts Group	Janitorial Supplies
MCCPC	16	Office Concepts Group, WB Mason, United Supply Corp	Office Supplies
MCCPC	10	Park Union Lumber Company	Lumber, Insulation, Hardware, Paint and Paint Supplies
MCCPC	3	Reed Systems Ltd	Rock Salt & Calcium Chloride
MCCPC	26	Road Safety Systems LLC	Beam Guide Rail & Safety Ends (Installed)
MCCPC	6	Schifano, D&L Paving, Reivax	Road Resurfacing
MCCPC	27	Sherwin Williams	Traffic Paint
MCCPC	10	Sherwin Williams Company	Lumber, Insulation, Hardware, Paint and Paint Supplies
MCCPC	5	Tilcon	Paving Materials
MCCPC	15-D	Tony Sanchez, Cliffside Body, A&K Equipment	Service Truck Bodies
MCCPC	18	Tree King Inc.	Tree Removal
MCCPC	23	Turn Out Uniforms Inc.	Police Uniforms & Equipment
MCCPC	25	W.B.Mason	Janitorial Supplies
MCCPC	30	WB Mason Company, Inc.	Office Paper & Supplies
NJStart	88697	Core Mechanical Inc.	HVAC Time and Material
SOCCP	C-0001-20	W.B. Mason	Office Supplies
State	17-FLEET-00732	Atlantic Tactical Inc.	Law Enforcement Firearms Equipment and Supplies
State	40813	Beyer Ford	OEM & NON-OEM MAINTENANCE & REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES
State	20-FLEET-01188	Beyer Ford LLC & Various Vendors	Police Pursuit and Special Service Vehicles: Gasoline, Hybrid and Plug-In Hybrid Engines
State	40803	Beyer of Morristown LLC	OEM & NON-OEM MAINTENANCE & REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES

State	40814	Campbell Freightline LLC	OEM & NON-OEM MAINTENANCE & REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES
State	89624	Campbell Freightline LLC	MAINT. & REPAIR FOR HEAVY DUTY VEHICLES (CLASS 5 OR HIGHER, OVER 15,000 LB GVWR)
State	42074	Campbell Freightline LLC	AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES (CLASS 5 OR HIGHER, OVER 15,000 LB GVWR)
State	20-FLEET-01189	Chas S Winner Inc.	Police Pursuit and Special Service Vehicles: Gasoline, Hybrid and Plug-In Hybrid Engines
State	81165	Chas S Winner Inc.	Equipment Acquisitions & Installation for marked & unmarked Police Vehicles
State	40822	Cliffside Body Corp	OEM & NON-OEM MAINTENANCE & REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES
State	42075	Deluxe International (Mid-Atlantic Truck Sale)	AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES (CLASS 5 OR HIGHER, OVER 15,000 LB GVWR)
State	42094	Dover Brake & Clutch	AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES (CLASS 5 OR HIGHER, OVER 15,000 LB GVWR)
State	17-FLEET-00721	Eagle Point Gun Shop & Various Vendors	Law Enforcement Firearms Equipment and Supplies
State	42093	Falcon Auto (Genuine Parts Company - dba authorized dealers)	AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES (CLASS 5 OR HIGHER, OVER 15,000 LB GVWR)
State	19-FLEET-00919	Fred Beans	OEM Automotive Parts and Accessories for Light Duty Vehicles Class 4 or Lower
State	86462	Garden State Highway Materials	SIGN BLANKS - ALUMINUM
State	20-FLEET-01159	Garden State Highway Materials	Retroreflective Fluorescent Roll-Up Warning Sign
State	19-FLEET-01137	Garden State Highway Materials	Breakaway U-Post Sign Supports
State	16-FOOD-00154	Garden State Highway Materials	Sheeting, Reflective Statewide
State	19-FOOD-00612	Griffith Allied Trucking LLC	# 2 Fuel Oil (for heating)
State	19-FOOD-01105	Griffith Allied Trucking LLC	Low Sulfur Diesel
State	19-FLEET-00978	Griffith Allied Trucking LLC	Unleaded Gasoline
State	40816	HA Dehart	OEM & NON-OEM MAINTENANCE & REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES

State	88729	Hertrich Fleet Services	Police Vehicles: Sport Utility Vehicles
State	40840	Hi-Tech Transmissions / T/A Aamco	OEM & NON-OEM MAINTENANCE & REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES
State	18-Fleet-00234	Home Depot	Walk In Building Supplies
State	42068	Hoover Truck Centers	AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES (CLASS 5 OR HIGHER, OVER 15,000 LB GVWR)
State	42128	Kimball Midwest	AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES (CLASS 5 OR HIGHER, OVER 15,000 LB GVWR)
State	86013	Kimball Midwest	NON-OEM AUTOMOTIVE PARTS & ACCESSORIES FOR LIGHT DUTY VEHICLES
State	17-FLEET-00740	Lawmen Supply Company of NJ Inc.	Law Enforcement Firearms Equipment and Supplies
State	42111	Lawson Products	AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES (CLASS 5 OR HIGHER, OVER 15,000 LB GVWR)
State	85850	Lawson Products	PARTS & REPAIRS FOR ROAD MAINTENANCE EQUIPMENT
State	18-FLEET-00235	Lowes	Walk In Building Supplies
State	17-Fleet-00724	Major Automotive Installations T/A Spectrum	Law Enforcement Firearms Equipment and Supplies
State	81753	Mohawk Carpet Distribution, Inc.	Carpet and Padding, Supplies and Installation
State	40201	Morton Salt & Various Vendors	Rock Salt
State	40854	RND	OEM & NON-OEM MAINTENANCE & REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES
State	40812	Route 23 Automall & various Vendors	OEM/Non-OEM Maintenance & Repairs or Services Light/Medium Duty Vehicles
State	42017	Samuels Inc. dba Buywise	Automotive Parks for Heavy Duty Vehicles
State	42105	Sanitation Truck	Automotive Parks for Heavy Duty Vehicles
State	89290	Sanitation Truck	Maintenance and Repair for Heavy Duty Vehicles
State	40806	Smith Motors	OEM & NON-OEM MAINTENANCE & REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES
State	89260	Smith Motors	Maintenance and Repair for Heavy Duty Vehicles
State	42090	Transaxle	Automotive Parks for Heavy Duty Vehicles

State	17-FLEET-00752	Turnout Fire and Safety	Law Enforcement Firearms Equipment and Supplies
State	42102	United Motor Parts	Automotive Parks for Heavy Duty Vehicles
State	88270	Van Dine	Snow Plow Parts, Grader and Loader blades
State	83924	Zetron Inc.	Communications Equipment
State	19-FLEET-00954	Mall Chevrolet	Vehicles Sedans/Hatchbacks, SubCompact, Compact, MidSize, FullSize, Gasoline, Hybrid, Electric
State	88271	Tony Sanchez	Snow Plow Parts, Grader and Loader blades
UCCP	22-2020	Weldon	Asphalt
UCNJ	UCCP 29-2019	Morton Salt & Various Vendors	Rock Salt
State	89851	SHI International	Software License & Related Services

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Rockaway, County of Morris, and State of New Jersey does hereby authorize the Mayor and/or Business Administrator or Assistant Business Administrator to authorize the purchase of the specified items from the above listed State, MCCPCPC, SOCCP, Bergen, UCNJ or MRESC vendors as often as deemed necessary and reasonable to do so without necessity of a bid, but only to the extent that such purchases do not exceed duly authorized budget appropriations for each category of purchases/expenditures.

C E R T I F I C A T I O N

I HEREBY CERTIFY the above to be a true copy of Resolution Adopted by the Township Council of the Township of Rockaway, County of Morris, and State of New Jersey at a duly convened meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-20

**APPOINTING TOWNSHIP ASSISTANT BUSINESS ADMINISTRATOR AS ADA
COORDINATOR FOR 2021**

WHEREAS, every municipality is required to designate as ADA Coordinator; and

WHEREAS, the ADA Coordinator's role is to ensure the Township's compliance with the Americans with Disabilities Act.

NOW THEREFORE BE IT RESOLVED by the Township Council of Rockaway Township that the Township Assistant Business Administrator is hereby appointed as the ADA Coordinator for Rockaway Township from January 1, 2021 to December 31, 2021.

CERTIFICATION

I, Elizabeth Peterson, Deputy Township Clerk of the Township of Rockaway hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-21

**APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER FOR THE CALENDAR
YEAR 2021**

WHEREAS pursuant to the provisions of N.J.A.C. 17:27-1 the Township of Rockaway is required to designate a Public Agency Compliance Officer on an annual basis; and

WHEREAS said Public Agency Compliance Officer shall act as the official liaison for all equal opportunity employment matters in the administration of public contracts; and

WHEREAS, the Township desires to designate the Assistant Business Administrator as the Public Agency Compliance Officer for the calendar year 2021;

NOW THEREFORE BE IT RESOLVED by the Council of Rockaway Township that it hereby designates the Assistant Business Administrator as the Township's Public Agency Compliance Officer for the calendar year 2021; and

BE IT FURTHER RESOLVED that the Municipal Clerk shall forward a certified copy of this Resolution to the New Jersey Department of the Treasury Affirmative Action Office as required.

CERTIFICATION

I, Elizabeth Peterson, Deputy Township Clerk of the Township of Rockaway hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-22

RESOLUTION DESIGNATING COURT ATTENDANTS FOR THE YEAR 2021

BE IT RESOLVED that the following list of Court Attendants, recommended by the Police Chief of the Township of Rockaway is hereby designated as the Official List of Court Attendants for the Township of Rockaway for the calendar year 2021.

COURT ATTENDANTS:

Christian Seugling

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-23

**AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR (POCKET) LICENSE FOR
THE PERIOD OF JULY 1, 2020 TO JUNE 30, 2021**

WHEREAS, the Township Council of the Township of Rockaway, County of Morris and State of New Jersey (hereinafter "Township"), has heretofore exercised the authority vested in it by law, as an "issuing authority" pursuant to N.J.A.C. 13:2-2.3 and by Township Ordinance 6-1 et seq., by issuing a liquor license to RTC Restaurant Corp. (hereinafter "RTC") for the sale of alcoholic beverages in the Township of Rockaway; and

WHEREAS, RTC having filed an application for renewal of Plenary Retail Consumption License for the period from July 1, 2020 to Midnight on June 30, 2021 without having provided an address for the use of such license; and

WHEREAS, the RTC Restaurant Corp. also having made application to the State of New Jersey Division of Alcohol Beverage Control (hereinafter "ABC") requesting permission to renew an inactive liquor license; and

WHEREAS, this Resolution is being granted pursuant to a 1239 Special Ruling Granted by the Director of ABC dated November 10, 2020, which is submitted herewith and made a part hereof by reference;

WHEREAS, RTC's application for permission to renew an inactive liquor license was approved subject to the terms and conditions set forth on the special ruling aforesaid; and

WHEREAS, no one having filed written objection to the renewal of said License, and no one appearing in person to object to the granting of said License; and

WHEREAS, pursuant to L.O. 6-3.4 Applicant has deposited with the Clerk the required fee of \$1,072.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Rockaway, County of Morris and State of New Jersey, that the Plenary Retail Consumption Liquor License of RTC Restaurant Corp., license no. 1435-33-016-006, is hereby renewed until Midnight on June 30, 2021.

The utilization of the license issued hereby is subject to its compliance with terms and conditions set forth in the November 10, 2020 Special Ruling issued by the State of New Jersey Division of Alcohol Beverage Control and with applicable local ordinances.

I HEREBY CERTIFY the foregoing to be a true copy of a Resolution Adopted by the Township Council of the Township of Rockaway at a duly convened Meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY

RESOLUTION # R-21-24

**A RESOLUTION AUTHORIZING THE EXECUTION OF A MUNICIPAL
SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF
ROCKAWAY AND THE BOROUGH OF ROCKAWAY RESPECTING
ONGOING MAINTENANCE OF PARK LAKE**

WHEREAS, the Borough of Rockaway (hereinafter “Borough”) and the Township of Rockaway (hereinafter “Township”) desire to pool their resources in a shared services agreement to provide for the removal of trash from trash receptacles and dog waste from collection sites, supply one (1) portable toilet rental (January through December) and removal of snow and ice from the path around Park Lake, a public lake, which is located within both the Township and the Borough; and

WHEREAS, the Borough and the Township also have a mutual interest in implementing yearly geese control measures; and

WHEREAS, by sharing the foregoing responsibilities in a shared services agreement, the Borough and the Township will avoid duplication of services, will conserve financial resources and enhance community relations.

WHEREAS, the governing body of a municipality may enter into a contract with another municipality for the sharing of services within their jurisdictions of any service which either municipality is empowered to render within its own jurisdiction pursuant to N.J.S.A. 40A:65-1, et seq., known as the Uniform Shared Services and Consolidation Act; and

WHEREAS, the Mayors of the Borough and the Township have expressed an interest in entering into a shared services agreement, a draft of which is submitted herewith and made a part hereof by reference; and

WHEREAS, the Township desires to enter into the Shared Services Agreement aforesaid with the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Rockaway, County of Morris, State of New Jersey, as follows:

1. The Mayor is hereby authorized to sign and enter into the attached Shared Services Agreement between the Township of Rockaway and the Borough of Rockaway.
2. The Clerk is hereby authorized and directed to provide a certified copy of this Resolution and the Shared Services Agreement to the New Jersey Department of Community Affairs, Division of Local Government Services
3. This Resolution shall take effect immediately.

CERTIFICATION

I, Elizabeth Peterson, Deputy Township Clerk of the Township of Rockaway hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on January 5, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**ROCKAWAY TOWNSHIP
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-25

**RESOLUTION SETTING THE SPECIAL EVENT PERMIT FEE FOR THE
CALENDAR YEAR 2021 PURSUANT TO ORDINANCE O-20-13**

WHEREAS, On July 14, 2020 the Township Council of the Township of Rockaway adopted Ordinance O-20-13 adding Chapter 30, entitled Special Events Permit to the Code of the Township of Rockaway; and

WHEREAS, Section F of Ordinance O-20-13 states that the fee for issuance of a special events permit shall be the designated by the Council annually by Resolution; and

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Rockaway, County of Morris and State of New Jersey, being the Governing Body thereof, as follows:

1. The Special Event Permit fee for the Township of Rockaway for the calendar year 2021 is hereby set at one hundred dollars (\$100.00).
2. The Mayor, Business Administrator and/or their designated representatives together with all other appropriate officers and employees are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
3. This Resolution shall take effect immediately.

CERTIFICATION

I, Elizabeth Peterson, Deputy Township Clerk of the Township of Rockaway hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Rockaway at a duly convened meeting held on _____, 2021.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

**TOWNSHIP OF ROCKAWAY
MORRIS COUNTY, NEW JERSEY**

RESOLUTION # R-21-26

RESOLUTION ADOPTING SPENDING PLAN

WHEREAS, Morris Commons, LLC ("Morris Commons") initiated litigation against the Township of Rockaway ("Township") and the Township of Rockaway Planning Board ("Planning Board") in the Superior Court of New Jersey in the matter captioned Morris Commons, LLC v. Township of Rockaway, et al., Docket No. MRS-L-3271-07 ("Litigation"), challenging the Township's satisfaction of its affordable housing obligation, among other things; and

WHEREAS, the Township and Morris Commons entered into an agreement resolving all of the claims between them with regard to the Litigation including the development of the property located at Block 22401, Lots 3.06 and 3.07 on the Official Tax Map of the Township of Rockaway, commonly known as 600 and 700 Commons Way ("Property"), with an affordable housing component; and

WHEREAS, the terms and conditions of said Settlement Agreement were approved by the Township Council on September 12, 2017; and

WHEREAS, Fair Share Housing Center (“FSHC”) objected to the terms of the September 12, 2017 Settlement Agreement and requested that the Court decline to approve the Settlement Agreement; and

WHEREAS, Morris Commons, FSHC and the Township engaged in settlement discussions and came to an agreement resolving FSHC’s objections regarding the development of the Property; and

WHEREAS, the terms and conditions of said Agreement between Morris Commons, FSHC and the Township were set forth in a certain Settlement Agreement dated May 21, 2019, which was approved by the Court on July 18, 2019; and

WHEREAS, the Township and FSHC negotiated and executed a Settlement Agreement resolving all of the remaining issues in the Litigation including the extent of the Township's affordable housing fair share obligation for the period from 1999 to 2025 and the methods the Township intends to use to satisfy the obligation; and

WHEREAS, the New Jersey Superior Court entered a Preliminary Judgment of Compliance and Repose on October 5, 2020 that approved the Settlement Agreement between the Township and FSHC and granted the Township immunity and repose from any and all Mount Laurel lawsuits through July 1, 2025, subject to the satisfaction of certain Compliance Conditions and Requirements including the adoption of a Spending Plan; and

WHEREAS, the Township has prepared a Spending Plan, dated October 2020, which is submitted herewith and made a part hereof by reference, which Spending Plan was also attached as an Appendix to the Township’s Housing Element and Fair Share Plan that was adopted by the Planning Board on October 26, 2020 and endorsed by the Township Council on October 27, 2020, and that is consistent with the applicable statutes and regulations, the Preliminary Judgment of Compliance and Repose and the Settlement Agreement between the Township and FSHC.

NOW, THEREFORE, BE IT RESOLVED by the Township of Rockaway, County of Morris, State of New Jersey as follows:

1. The Township of Rockaway (“Township”) does hereby adopt the October 2020 Spending Plan attached hereto.

2. This Resolution shall take effect immediately.

CERTIFICATION

I, Elizabeth Peterson, Deputy Clerk of the Township of Rockaway hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Township of Rockaway at a duly convened meeting held on _____.

Elizabeth Peterson, Deputy Township Clerk

Approved:

Council President (Print/Sign)

Motion was made by Council Vice President Sackett, seconded by Council Member Kelley, to remove R-21-25 from the consent agenda for further discussion.

Roll Call Was Taken.

Yah Votes: 9 (Kelley, Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Motion carries.

Motion was made by Council Member Kelley to remove R-21-02, R-21-11, R-21-17, R-21-20, and R-21-24 from the consent agenda for further discussion. No one seconded the motion.

Discussion proceeded on R-21-25. Council Vice President Sackett stated that he discussed this with Administration and felt that the permit fee of \$50 was low and he wanted Council discussion on this to see if it could be raised to \$75 or \$100. Council Member Kelley stated that had the same concern with the fee being low and that we give much away with low permit fees and shared services. Council Member Kritz agreed that there are many events and while the fee should be increased, he thinks that the fee should be based on how large the event is and how much for profit it is. Ms. Seger stated that she had Recreation check with other towns and this is an average charge. She continued that there are other fees when it's a big event, such as for police, health, construction and insurance. Attorney Perrone stated that there is a fee exception for non-profit groups. Council discussed.

Motion was made by Council Vice President Sackett, seconded by Council Member Kelley, to amend R-21-25 to raise the fee from \$50.00 to \$100.00.

Roll Call Was Taken.

Yah Votes: 9 (Kelley, Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Motion carries.

Motion was made by Council Member Kelley to ask one question about R-21-02 and one question about R-21-24. No one seconded.

Motion was made by Council Member Kelley to remove R-21-02 to vote on it independently. No one seconded.

Motion was made by Council Member Quinn, seconded by Council Member Salberg, to vote on R-21-25 as amended with the fee of \$100.00.

Roll Call Was Taken.

Yah Votes: 9 (Kelley, Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Motion carries.

Motion was made by Council Member Kelley to reconsider removing R-21-02 for a separate vote. No one seconded.

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to approve R-21-01 through R-21-11, R-21-13 through R-21-24, and R-21-26 on the Consent Agenda.

Roll Call Was Taken.

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 0

Abstentions: 1 (Kelley)

Motion carries.

OLD BUSINESS:

Council Member Kelley brought up the old playground at Peterson field and wanted to know if the equipment could be repurposed. Council Member Kritz asked if he could respond and said that he had similar thoughts but that it was inspected and deemed to be unsafe. Council Member Kelley asked Mayor Puzio if there is a reason that the Township is making inquiries about a Public Safety Director for the Police Department and the Mayor responded that he doesn't know what inquiries he is speaking about. Council Member Kelley asked if there was an objective of saving money in taking away trucks from the DPW supervisors. Mayor Puzio responded that this is an administrative function and has nothing to do with Council. Council Member Kelley asked again, stating that if it is a budgetary issue the Council is involved in those matters. Council Member Kelley also asked Attorney Perrone the same question and Attorney Perrone responded that this is the first he is hearing of this.

NEW BUSINESS:

Tax Collection and Penalty Regarding Block 11403, Lot 14, DNG Farms –

Council President Jackson stated that, in speaking with the Township Attorney about this item that was added to the agenda by Council Member Kelley, there are some reasons why we should not be discussing this in open session until we can get more background and recommendations.

Motion made by Council President Jackson, seconded by Council Member Quinn, to remove item from agenda.

Roll Call Was Taken.

Yah Votes: 8 (Quinn, Friedlander, Kritz, Salberg, Brookes, Noon, Sackett, Jackson)

Nah Votes: 1 (Kelley)

Motion carries.

Council Member Kelley said that there are several members of Council who have spoken with the owner of DNG Farms and that this is an individual who has reached out to Council and some members of administration because he doesn't know which way to go. He continued that the meeting is where Council can all talk legally and not in violation of the Open Public Meeting Act rather than having individual conversations. Council President Jackson asked Attorney Iacofano to speak. Attorney Iacofano stated that he became aware of this when Council Member Kelley asked to have this placed on the agenda and the property owner in question is endeavoring to bring before Council negotiations concerning unpaid taxes. Attorney Iacofano said that this is a clear request for contract negotiations and must be done in closed session, and that the history of the matter and the legality of the request need to be reviewed. Council Member Kelley thanked Attorney Iacofano for his comment but he disagrees that this is a contract and thinks that the individual is trying to determine what the procedure is.

REPORTS:

Council Member Salberg thanked his fellow Council Members, the administration, and residents for making his first year successful. He asked everyone to view the Mayor's video to see what was accomplished and he is looking forward to the next year and making it even better.

Council Member Brookes said that he wishes everyone a happy New Year and that he looks forward to moving the town forward with some good projects.

Council Member Friedlander wished everyone a happy and healthy New Year. He stated that the library programs have been successful with all that's going on, and that repairs are on-going so when people can finally go in, they'll see new walls. He said that the next Board of Assessment meeting is targeted for March, as they were thrown a major curve with the death of Mr. Burek but people are getting up to speed. He attended the Farmers Market and he thinks the next one will be bigger as there is a growing interest. He directed people to go onto the County website where you can set up COVID vaccinations, and he'd highly recommend doing this.

Council Member Kritz echoed what others said, thanking all for a very productive 2020 under extraordinary circumstances. He noted that Birchwood Fire Company Auxiliary is doing a fundraiser for the Superbowl and they could use some help. He stated that there is a blood drive at White Meadow Lake Clubhouse that requires advanced registration. He continued that registration for the Rockaway Renegades Lacrosse is open and they're only asking for \$1 registration for now to hold your place.

Council Member Quinn wished everyone a happy, safe and healthy New Year and congratulated everyone for what they did in 2020 and he looks forward to doing even better in 2021. He is looking forward to getting to the Farmers Market, and ended asking all to stay smart and stay safe.

Council Member Kelley thanked Mr. Knoth and the crews for the snow removal. He noted that, in Ward 6, the County will be doing storm water runoff repairs in the vicinity of Green Pond and Dudak Roads. He said that Holy Trinity Lutheran Church is collecting food for the pantry, blankets and clothes. The Fire Company #1 Ladies Auxiliary is doing a football mania super match ticket for the Superbowl and they do some great work for the Fire Department. He congratulated the officers for 2021. He expressed his condolences for the Garabrant family. He asked if there is a list of vendors at the Farmers Market. He also asked about the mega site for the COVID-19 vaccines that is being run by the County, and who gets priority. He ended by stating that we have a reorg meeting one time a year with some special attendees and he hopes that next time we can do more as far as dressing up and looking the part. Council Member Kelley ended by stating that he hopes everyone has a wonderful 2021 and he is looking forward to some positive things for Rockaway Township.

Council Member Noon wished everyone a happy and healthy New Year and stated that she is looking forward to the Farmers Market this weekend. She attended the swearing in of the Fire Department members on January 1st and found it to be very interesting.

Council Vice-President Sackett said that he is happy to be out of 2020 and that there were some great events at the end of the year. He attended the Fire Department swearing in and said it is different from years past but it was nice to be there in person with all safety protocols in place. He stated that the Farmers Market is scheduled for the 9th and the 23rd of this month, and that there were six vendors. Council Member Friedlander provided some additional information concerning this event. Council Vice President Sackett continued by stating that he is excited that the bids are out for Peterson fields and that many have worked extremely hard to move this forward. He thanked the rest of Council for re-electing him as Vice President and he is looking forward to working with Mr. Jackson again and hopefully getting back to a new normal soon.

Council President Jackson said to Council Member Kelley that just because he doesn't wear a suit to the meetings doesn't mean that he doesn't take the work seriously, and asked him to keep his comments to himself. He also defended Attorney Perrone when during the meeting Council Member Kelley said that he had claimed no knowledge about an issue and then later said that he had spoken to the tax collector about it. Council President Jackson noted that these were separate issues and that Council Member Kelley was confusing them. Council President Jackson acknowledged the loss of Gene Garabrant's father. He thanked the Fire Department's Mt. Hope Company and White Meadow Lake Company who responded to a situation at his home and said that they were incredible and until you truly need them you probably don't appreciate what

the Fire Department and Police do. He also said thank you for the swearing in ceremony.

Mayor Puzio encouraged all of the Council Members to submit questions prior to Council meetings if they require research. He said that he can't answer if he doesn't have time to prepare and that there are certain questions that can't be answered at a meeting. He said that we are here to do Council business and stick to an agenda, not to digress. He thanked the entire Council for their work. He said that he is excited about Peterson field, and that it will have something for everyone. He said that the bid package went out and will be back in January so the project can start late March or April. He said that the Farmers Market is a private entity that works with the mall and what we've done is created a special events permit so the best action to get information on vendors is to reach out to the mall or actual vendor. Mayor Puzio provided a COVID-19 update. This will include information on COVID vaccination efforts. He provided number of cases, noting that cases have tripled in the last nine weeks. He further emphasized how active COVID cases are by stating that there were 417 cases during the first eight months of the pandemic and 754 additional cases in just the last two months. He continued that this is not limited to Rockaway Township as the pandemic is raging across the country and, even with the FDA's authorization of the vaccine, it is expected to continue for a while. He noted that the vacant Sears store in Rockaway Townsquare Mall is to serve as one of the State's six mega sites and that this site is a win for all involved. He thanked the Health Officer Peter Tabbot and the Business Administrator Pat Seger for assisting County and State officials as they explored the site for consideration. He reminded residents to be patient as the protocols call for a phased approach and the Governor's plan is to get 70% of the population vaccinated. He stated that he will get the vaccine as soon as he is able and encourages all of our residents to do the same. He reminded everyone that COVID-19 rates are at an all time high; and to please be safe, and remember those basic but important actions that will help reduce the risk of the disease.

Attorney Iacofano wished everyone a happy New Year and extended his congratulations to Council President Jackson and Council Vice President Sackett. He said that he and Attorney Perrone appreciate the Council's confidence in them.

Ms. Seger wished all a happy New Year and informed the Council that the Township has received 100% of the funds for the CARES grant which was over \$394,000 and that the staff really pulled together to make this happen. She thanked everyone for their team effort. She reminded everyone to finish JIF training and cyber incidences training. Ms. Seger continued by stating that they are wrapping up on the budget which will be presented soon, thanked everyone for helping out with all of last year's accomplishments, and she looks forward to next year.

Ms. Palmieri stated that for the record the grant was for \$294,000, not \$394,000.

Motion was made by Council Member Quinn, seconded by Council Member Brookes, to adjourn the meeting at 8:50PM, all members present unanimously agreed.

The next Regular Meeting of the Council of the Township of Rockaway is scheduled for January 26, 2021.

Respectfully submitted,

A handwritten signature in cursive script that reads "Elizabeth Peterson". The signature is written in black ink and is positioned above a horizontal line.

Elizabeth Peterson
Deputy Municipal Clerk