

ROCKAWAY TOWNSHIP COUNCIL – MARCH 23, 2021

REGULAR MEETING MINUTES

The Regular Meeting of the Township Council of the Township of Rockaway was held on Tuesday, March 23, 2021. This meeting was held remotely/electronically using the platform Webex Events and commenced at approximately 6:30PM.

Council President Jackson led those present in the flag salute.

Council President Jackson 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. Council President Jackson also recognized the passing of Patti Conlon, the wife of long-time Township volunteer Bob Conlon, John Wojtaszek, Deputy County Clerk for Morris County and Danarae Scafati, long-time crossing guard in the Birchwood area of the Township.

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, Ms. Allison Ferrante and Mr. Peter Tabbot.

Council President Jackson 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."

Council President Jackson stated, "This meeting was advertised in the Daily Record on January 9, 2021 and the Star Ledger on January 11, 2021, the official newspapers for the Township of Rockaway. Notice was posted on the official bulletin boards of Rockaway Township."

NATIONAL PUBLIC HEALTH WEEK PROCLAMATION:

Mr. Peter Tabbot read the following proclamation:

“WHEREAS, the week of April 5-11, 2021, is National Public Health Week, and the theme is “Building Bridges to Better Health”; and

WHEREAS, since 1995, public health professionals have honored National Public Health Week by educating the public and policymakers about issues important to improving the public’s health; and

WHEREAS, there is a significant difference in health status, such as obesity, poor mental health and drug use, among people living in rural areas compared with people living in urban areas, and this variance increases because rural residents are often more likely to face social determinants that negatively impact health, such as poverty, transportation barriers and lack of economic opportunity; and

WHEREAS, public health professionals help communities prevent, prepare for, withstand and recover from the impact of a full range of health threats, including disease outbreaks such as the COVID-19 pandemic, measles and natural disasters; and

WHEREAS, public health action, together with scientific and technological advances, has played a major role in reducing and, in some cases, eliminating the spread of infectious disease, and in establishing today’s disease surveillance and control systems; and

WHEREAS, six in 10 U.S adults have a chronic disease and four in 10 have two or more; and health risks such as obesity, tobacco use and alcoholism are the primary reason for seven of every 10 deaths annually in the United States; and

NOW, THEREFORE, I, Michael Puzio, Mayor of Rockaway Township, do hereby proclaim the week of April 5-11, 2021, as NATIONAL PUBLIC HEALTH WEEK in the Township of Rockaway, and call upon all residents to observe this week by helping our families, friends, neighbors, co-workers and leaders to better understand the value of public health and by supporting opportunities to adopt preventive lifestyle habits in light of this year’s theme, “Building Bridges to Better Health.”

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of March, in the year of our Lord two thousand twenty-one, and of the Independence of the United States of America the two hundred and forty-sixth.”

Mr. Tabbot thanked the Council and Mayor for their constant support and spoke in regards to the importance of the work of public health employees.

APPROVAL OF MINUTES:
March 9, 2021 – Regular Meeting

Motion was made by Council Vice President Sackett, seconded by Council Member Kritz, to approve the March 9, 2021 Regular Meeting Minutes.

Roll Call Was Taken.

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

Nah Votes: 0

Abstentions: 1 (Kelley)

Motion carries.

ORDINANCES TO ADOPT:

O-21-06 AN ORDINANCE AMENDING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT," SECTION 54-47 ENTITLED "MUNICIPAL HOUSING LIASON" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY

Motion was made by Council Member Kelley, seconded by Council Member Friedlander to adopt Ordinance O-21-06.

No one from the public wished to speak.

Council Member Kelley questioned if the timing of reintroduction and adoption of these ordinances effected the Township's compliance with the Court Order which required these ordinances to be adopted. Mayor Puzio confirmed that there were no adverse effects.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

O-21-07 AN ORDINANCE AMENDING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT," SECTION 45 ENTITLED "FAIR SHARE HOUSING REQUIREMENTS" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY

Motion was made by Council Member Kelley, seconded by Council Member Salberg to adopt Ordinance O-21-07.

No one from the public wished to speak.

There was no discussion amongst the Council.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

O-21-08 AN ORDINANCE ESTABLISHING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT," SECTION 48 ENTITLED "MANDATORY AFFORDABLE HOUSING SET-ASIDE" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY

Motion was made by Council Member Kelley, seconded by Council Member Friedlander to adopt Ordinance O-21-08.

No one from the public wished to speak.

There was no discussion amongst the Council.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

O-21-09 AN ORDINANCE ESTABLISHING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT," SECTION 54-30.52 ENTITLED "R-B MFO REGIONAL BUSINESS MULTIFAMILY OVERLAY DISTRICT" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY

Motion was made by Council Member Kelley, seconded by Council Member Friedlander to adopt Ordinance O-21-09.

No one from the public wished to speak.

There was no discussion amongst the Council.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

O-21-10 AN ORDINANCE AMENDING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.53 ENTITLED "B-2 MFO HIGHWAY BUSINESS MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT"

Motion was made by Council Member Kelley, seconded by Council Member Quinn to adopt Ordinance O-21-10.

No one from the public wished to speak.

There was no discussion amongst the Council.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

O-21-11 AN ORDINANCE AMENDING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.66 ENTITLED "RMFO-10 MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT"

Motion was made by Council Member Kelley, seconded by Council Member Quinn to adopt Ordinance O-21-11.

No one from the public wished to speak.

There was no discussion amongst the Council.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

O-21-12 AN ORDINANCE AMENDING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.67 ENTITLED "RMFO-12 MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT"

Motion was made by Council Member Kelley, seconded by Council Member Quinn to adopt Ordinance O-21-12.

No one from the public wished to speak.

There was no discussion amongst the Council.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

O-21-13 AN ORDINANCE AMENDING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.68 ENTITLED "RMFO-12A MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT"

Motion was made by Council Member Kelley, seconded by Council Member Quinn to adopt Ordinance O-21-13.

No one from the public wished to speak.

There was no discussion amongst the Council.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

O-21-14 AN ORDINANCE AMENDING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.69 ENTITLED "RMFO-15 MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT"

Motion was made by Council Member Kelley, seconded by Council Member Quinn to adopt Ordinance O-21-14.

No one from the public wished to speak.

There was no discussion amongst the Council.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

O-21-15 AN ORDINANCE AMENDING CHAPTER 54 ENTITLED "LAND USE AND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF ROCKAWAY CREATING A NEW SECTION 54-30.70 ENTITLED "RMFO-15A MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT"

Motion was made by Council Member Kelley, seconded by Council Member Salberg to adopt Ordinance O-21-15.

No one from the public wished to speak.

There was no discussion amongst the Council.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

OPEN TO THE PUBLIC:

Lili Sweet, 1 Oakland Avenue – Ms. Sweet thanked the Road Department for all of their hard work over the winter months and wished everyone Happy Holidays.

Lisa Salberg, 10 Bergen Hill Rd – Ms. Salberg wished everyone Happy Holidays.

Pat Degnan, 88 Valley View Drive – Ms. Degnan stated that she hopes the remainder of the meeting runs as smoothly as the start.

Patrick Egan, 59 Lenox Road – Mr. Egan stated that the Rockaway Township girl's recreation softball season is underway but signups are still ongoing, he announced that grades one and two are in need of more players. He encouraged residents to register their children for this season and wished everyone Happy Holidays.

William Degnan, 88 Valley View Drive – Mr. Degnan wished everyone a Happy Easter and thanked the Township for addressing the complaints about the noise coming from behind Valley View Drive

CONSENT AGENDA:

R-21-55 AMENDING RESOLUTION R-20-100 TO MEET THE REQUIREMENTS OF THE GOVERNOR'S EXECUTIVE ORDER 222 REGARDING THE TEMPORARY, CONDITIONAL RE-OPENING OF RETAIL ESTABLISHMENTS IN ROCKAWAY TOWNSHIP PURSUANT TO TOWNSHIP PERMITTING REQUIREMENTS

R-21-56 RESOLUTION AUTHORIZING THE APPOINTMENT OF ERIN MURRAY AS THE MUNICIPAL HOUSING LIAISON FOR THE TOWNSHIP OF ROCKAWAY

R-21-57 RESOLUTION OF THE TOWNSHIP OF ROCKAWAY URGING THE IMMEDIATE REPEAL OF SENATE BILL NO. 3454 (P.L. 2021 C. 25)

R-21-58 A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF ROCKAWAY AND KARIBA FARMS, INC. TO ALLOW THE OPERATION OF A FARMER'S MARKET FROM APRIL 1, 2021 TO MARCH 31, 2022

R-21-59 RESOLUTION AUTHORIZING THE TOWNSHIP OF ROCKAWAY TO APPLY FOR AND ACCEPT A SUBGRANT AWARD FOR THE FEDERAL FISCAL YEAR 2021 FROM THE DEPARTMENT OF EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING

R-21-60 AUTHORIZING THE DISPOSAL BY THE TOWNSHIP OF ROCKAWAY FIRE DEPARTMENT OF OBSOLETE EQUIPMENT AND FURTHER AUTHORIZING THE DONATION OF THAT EQUIPMENT TO THE GREEN POND VOLUNTEER FIRE DEPARTMENT

R-21-61 AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE TOWNSHIP OF ROCKAWAY AND THE ROCKAWAY TOWNSHIP BOARD OF EDUCATION TO PARTICIPATE IN A SHARED SERVICES AGREEMENT FOR THE PROVISION OF FIVE CLASS III SPECIAL LAW ENFORCEMENT OFFICERS PURSUANT TO N.J.S.A. 40A: 11-10 (b)

Motion was made by Council Member Quinn, seconded by Vice-President Sackett to approve the Consent Agenda.

Motion was made by Council Member Kelley, seconded by Council Member Brookes to remove R-21-55 for separate discussion and vote, R-21-56 for separate vote and R-21-58 for separate discussion and vote.

Roll Call Was Taken.

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

Nah Votes: 2 (Sackett, Jackson)

Motion carries.

Roll Call Was Taken (to approve the remaining items on the Consent Agenda).

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

Nah Votes: 0

Motion carries.

RESOLUTIONS:

R-21-55 AMENDING RESOLUTION R-20-100 TO MEET THE REQUIREMENTS OF THE GOVERNOR'S EXECUTIVE ORDER 222 REGARDING THE TEMPORARY, CONDITIONAL RE-OPENING OF RETAIL ESTABLISHMENTS IN ROCKAWAY TOWNSHIP PURSUANT TO TOWNSHIP PERMITTING REQUIREMENTS

Council Member Kelley was concerned about the no-tents restriction indicated on the permit application. Council Member Kelley stated that the Township could not make requirements more restrictive than the State's requirements and requested that the Township amend the application to remove that language.

Motion was made by Council Member Kelley, seconded by Council Member Quinn to approve resolution R-21-55.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

R-21-56 RESOLUTION AUTHORIZING THE APPOINTMENT OF ERIN MURRAY AS THE MUNICIPAL HOUSING LIAISON FOR THE TOWNSHIP OF ROCKAWAY

Council Member Kelley reiterated that he does not believe that resolutions approving appointments should be on the Consent Agenda and questioned if this position had been vacant.

Ms. Seger stated that the appointment had been made during the Reorganization meeting, but was now being solidified by resolution in compliance with Court Order.

Motion was made by Council Member Kelley, seconded by Council Member Quinn to approve resolution R-21-56.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

R-21-58 A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF ROCKAWAY AND KARIBA FARMS, INC. TO ALLOW THE OPERATION OF A FARMER'S MARKET FROM APRIL 1, 2021 TO MARCH 31, 2022

There was discussion amongst the Council and Administration regarding how many events were scheduled during the timeframe covered by the contract, the fees associated with this contract and the revenue that would be lost with the approval of this contract and the positive impact that the Farmer's Market has not only for the Mall, but for the Township as well.

Motion was made by Council Member Quinn, seconded by Council Member Noon to approve resolution R-21-58.

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

Nah Votes: 0

Abstentions: 1 (Kelley)

Motion carries.

OLD BUSINESS/NEW BUSINESS/REPORTS (COMBINED):

Council Member Salberg discussed the Emerald Ash Borer beetle and stated that the County is working on removing ash trees from the County right of ways, he also mentioned that JCP&L and the Morris County Shade Tree Commission are all being very proactive. He stated that he was happy to see that the County is addressing tree trimming and road surface concerns on Green Pond Road and Mount Hope Avenue and announced that Trout Season is starting on April 10th.

Council Member Brookes thanked the Road Department for a great season of snow removal, he also asked that the public be conscientious while walking Park Lake and around their neighborhoods about litter.

Council Member Kelley stated that the County was on Green Pond Road today clearing trees and that JCP&L has also been actively trimming. He also raised concern about a resident living on the corner of Lake Denmark Road having an issue with large trucks driving onto his property while rounding the corner, causing extensive damage to the resident's property. He questioned the status of the proposed dog park to be located on

Snake Hill Road, the amount of money being dedicated to Peterson Field and how the stimulus funds received by the Township could be spent. Council Member Kelley questioned why a new volunteer had been appointed to the Zoning Board of Adjustment before existing members had been considered as well as why invoices from the Township Attorneys were not being provided to him. He wished everyone a Happy Easter and a Happy Passover.

Council Member Kritz announced that the first meeting of the Sponsorship Committee was held last week, it went well. He commended the Lacrosse program for their diligence concerning COVID-19 protocols and wished everyone a Happy Passover and Easter.

Council Member Friedlander thanked the Administration for addressing the Farmer's Market agreement the way that they did, and for working with the vendor. He mentioned that the Library construction is underway, that the recently approved Ford Faesch project would be starting in the next two months and that the Historical Society is planning the 250th Anniversary of the Ford Faesch House. He wished everyone a Happy Passover and Easter.

Council Member Noon spoke about the Farmer's Market and wished everyone a Happy Passover and Easter.

Vice-President Sackett announced that the spring sports programs are starting up and wished the programs a fun and successful season. He wished everyone a Happy Passover and Easter and reminded everyone to be safe while celebrating. He also commended Peter Tabbot and his team for their diligence and professionalism while conducting the contact-tracing for COVID-19 within the schools.

President Jackson stated that he had participated in the blood drive held at White Meadow Lake, approximately seventy pints of blood were collected. He announced that the Peterson Field improvements were underway and that the Annual Spring Cleanup will be held on April 24th between the hours of 9:00-11:00AM.

Council Member Quinn thanked Peter Tabbot and his team for all of their hard work, stated that the Farmer's Market has been a great addition to the Township and to mall, announced that Spring Sports were starting up. He wished everyone a Happy Easter and Passover, and asked that everyone stay safe.

Mayor Puzio stated that any Council Member has the ability to request records from the Administration, however, plans for projects that have not yet gone out to bid cannot be released without jeopardizing the bid process. He announced that the Township is working with the DEP regarding work to be done at the Park Lake Gazebo, the Lake Hudsonia dam and the construction of a building at the salt dome within White Meadow Lake.

Attorney Iacofano had no report.

Attorney Perrone explained that the Special Events Ordinance allows for the Township to enter into contracts with vendors if the Township wished to do so.

Ms. Seger stated that the Well 10 project is being worked on, that water lines are being replaced along Kings Road while the road is being resurfaced and that the Senior Building improvements will be moving forward.

Ms. Palmieri had no report.

Ms. Ferrante spoke regarding the activity on Kings Road and added that New Jersey Natural Gas was also installing new gas lines while the road is being resurfaced. She confirmed that the work at Lake Hudsonia has started. Ms. Ferrante also thanked our Public Works as well as our Park and Recreation departments for their support and cooperation with the Peterson Field projects.

Motion was made by Vice-President Sackett, seconded by Council Member Friedlander, to adjourn this meeting at 8:16PM. All members unanimously agreed.

The next Regular Meeting of the Council of the Township of Rockaway is scheduled for April 13, 2021.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Christina Clipperton", is written over a horizontal line.

Christina Clipperton
Municipal Clerk