

ROCKAWAY TOWNSHIP COUNCIL – MAY 25, 2021

REGULAR MEETING MINUTES

The Regular Meeting of the Township Council of the Township of Rockaway was held on Tuesday, May 25, 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 services and sacrifices of the armed service members who protect our Nation and the first responders who protect our neighborhoods.

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, Ms. Patricia Seger, Mr. David Dyer, Ms. Lisa Palmieri, Ms. Allison Ferrante; Jeffrey Heintzleman, Fire Director; and Mr. David Novak, Township Planner.

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 and the Star Ledger, the official newspapers for the Township of Rockaway on April 10, 2021. Notice was posted on the official bulletin boards of Rockaway Township."

Mayor Puzio invited Jeffrey Heintzleman, Fire Director, to give an update on the status of Fire Department equipment. He said that this was an effort to get Department Heads to provide updates to Council because he wants them to see where money is being spent in terms of what it is doing for the Township. He added that any questions that require research or details should be emailed so he can respond to them on or before the next meeting.

Mr. Heintzelman gave an update on the status of the Fire Department. He spoke on the funds available to the Fire Department and the support received from the Administration and Department of Public Works staff. He believes that the fleet is ready to respond as needed. He stated that generators are owned by the Township and are handled through the water utility where they receive routine maintenance and that there is a service contract for minor and major service. He asked Chief Aragona speak to a call update for 2021. Chief Aragona reported the numbers and stated that the staff has had no issues.

Mayor Puzio asked Mr. Heintzelman to go into some equipment specifics. Mr. Heintzelman responded that the Township has some great equipment including the only air truck in the County, three tankers, and a tower ladder truck which is very sought after. He said that there are 120 proud volunteers for the FD and Emergency Medical Services (EMS) and he thanks them for their efforts and dedication.

Motion was made by Council Member Kelley to allow three minutes per Council Member to ask questions. No one seconded.

Motion was made by Council Member Kelley to have Administration provide him with each contract that the Township has with regard to maintenance, service, and repairs of the generators within the Township and the FD. No one seconded.

Motion was made by Council President Jackson, seconded by Council Member Quinn, to remove Item 12, Discussion Items, from the agenda.

Council Member Kelley asked if there could be discussion. Council President Jackson said that there were emails regarding this earlier.

Roll Call Was Taken.

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

Nah Votes: 1 (Kelley)

Abstention: 0

Motion carries

APPROVAL OF MINUTES:

May 11, 2021 – Regular Meeting

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to approve the May 11, 2021 Regular Meeting Minutes.

Roll Call Was Taken.

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

Nah Votes: 1 (Kelley)

Motion carries.

ORDINANCES TO ADOPT:

O-21-23 AN ORDINANCE AMENDING CHAPTER 54 ENTITLED “LAND USE AND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF ROCKAWAY TO PERMIT MEDICAL AND RECREATIONAL CANNABIS FACILITIES

Motion was made by Council Vice President Sackett, seconded by Council Member Friedlander, to adopt Ordinance O-21-23.

Public Hearing

No members of the public came forward.

Council Discussion

Council Member Kelley said that he was trying to ask a procedural question about making a motion when a motion and a second have already been made to adopt the ordinance. Ms. Clipperton deferred to Attorney Iacofano, and he recommended that the Council proceed with the vote unless a motion is made to amend the ordinance and that motion is determined to be substantive and is seconded. Mr. Kelley asked if other types of motions could be made and Attorney Iacofano stated yes. Council Member Kelley asked Mr. Novak to refer to section 3, page 3 of the ordinance and asked if there could be discussion regarding the ability to increase the 200-foot setbacks especially as they relate to schools, child care facilities, and places of worship. Mr. Novak responded that the setbacks outlined tie into current liquor store regulations and said that a further analysis would need to be done if an increase was to be considered. Council President Jackson asked what the cost would be for this work and if Mr. Novak felt comfortable with the 200-foot setbacks. Mr. Novak stated that he is comfortable as they're consistent with the medical cannabis ordinance but that if Council wanted a change could be made moving forward. He added that the priority with this ordinance was to get it adopted before August

Motion was made by Council Member Kelley to table O-21-23 and have Burgis Associates do an analysis. No one seconded.

Motion was made by Council Member Kelley to put the definition of unlawful under number seven. No one seconded.

Motion was made by Council Member Kelley that pertains to the "c" section of the ordinance on page seven for the Police Chief to provide a report to Council concerning security protocols for those businesses to follow. No one seconded

Roll Call Was Taken.

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

Nah Votes: 1 (Kelley)

Motion carries.

OPEN TO THE PUBLIC:

Lili Sweet, 1 Oakland Ave. – Ms. Sweet said for everyone to have a pleasant and safe Memorial Day and to remember the sacrifices of the men, women, and those missing in action.

Lisa Salberg, 10 Bergen Hill Rd. – Ms. Salberg wished a happy birthday to her husband.

ORDINANCES TO INTRODUCE:

O-21-24 ORDINANCE AMENDING CHAPTER 7 - ARTICLE II OF THE REVISED ORDINANCES OF THE TOWNSHIP OF ROCKAWAY IN ORDER TO ADD NEW ORDINANCE SECTION 64 ET. SEQ. ESTABLISHING A TITLE 39 ENFORCEMENT PLAN FOR THE REGULATION OF PARKING, STANDING INGRESS, EGRESS, AND THE FLOW OF TRAFFIC ON PRIVATE PROPERTY OWNED BY U.S. HOME CORPORATION D/B/A LENNAR IDENTIFIED ON THE OFFICIAL TAX MAP OF ROCKAWAY TOWNSHIP AS BLOCK 22401 LOT 1.01 MORE COMMONLY KNOWN AS COVENTRY PARK AT ROCKAWAY (AKA THE HILLS) GREEN POND ROAD (CR 513)

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to introduce Ordinance O-21-24.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

CONSENT AGENDA:

R-21-91 RESOLUTION AUTHORIZING PUBLIC FIREWORKS DISPLAY FOR WHITE MEADOW LAKE PROPERTY OWNERS ASSOCIATION

Motion was made by Council Member Friedlander, seconded by Council Member Kelley, to approve the consent agenda.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

APPOINTMENTS:

COUNCIL APPOINTMENTS:

FIREFIGHTERS:

Edward Karran

Motion was made by Council Member Kelley, seconded by Council Member Kritz, to appoint Edward Karran as a Firefighter.

Roll Call Was Taken.

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

Nah Votes: 0

Motion carries.

OLD BUSINESS, NEW BUSINESS, AND REPORTS:

Council Member Salberg reported that at the last meeting he mentioned that he thought it was time to review and reinforce the definition and purpose of the Old Business, New Business, and Reports section of the meeting. He referenced a February 2021 memo

provided by the Clerk from Council President Jackson and said that this part of the meeting is not the time to personally attack members of the Administration, other Council Members, or residents; nor is it a time for non-stop interruptions, complete disregard for others' time, or making non-verified or outright false statements. He requested that Council President Jackson resend the memo. He also said that this is the last meeting before the Primary and he urged residents to vote. He ended by asking all to remember our fallen heroes and observe Memorial Day.

Council Member Brookes said he had no business items but asked that all remember this upcoming Memorial Day. He added that he looks forward to getting the parade back into the Township and honoring those from the Township with the gun salute at the memorial.

Council Member Quinn asked that at this Memorial Day please remember those who gave the ultimate sacrifice and to be safe and stay healthy. He reported that he attended the Planning Board meeting by phone and that they started to go over a few programs coming into the Township and that he will report on these soon. He noted that the Citizen's Recreation Committee meeting is next Tuesday. He thanked the FD and EMS that serve this town and said that he is very proud that they have great equipment to work with and that he appreciates them.

Council Member Kelley commended the vegetation cleanup done by the County at Green Pond Road and in the Hibernia area. He reported on weed harvesting in Lake Telemark. He said that for Memorial Day he has asked in the past to have the names of fallen soldiers put on a Township website to show appreciation of them and their family members. He asked that the Township website be updated to reflect upcoming events. He stated that as a follow up to the last meeting with the discussion on special events permits, White Meadow Lake is a 501c(7) not-for-profit. He addressed the items that were removed from the agenda that he wanted to talk about. He said first that generators were not working when needed especially in the last few months and wants to know if the Township has active/current contracts for generator maintenance. He noted that he reviews the billing each month from Iacofano and Perrone and asked about specific charges. He referred to the memo from Council President Jackson and said that Township code would have to be amended in order to enforce the procedures in the memo. He spoke about Bowlbyville and referred to a meeting on 10/26/2016 in which Attorney Iacofano made comments about moving forward with the assessments and noted that five years have passed. He ended by wishing all a wonderful Memorial Day weekend and to remember the sacrifices made.

Council Member Noon wished all a happy and safe Memorial Day weekend and asked all to remember those who fought for our freedom. She reported that Pops had a soft opening and she will let everyone know about when the grand opening will take place.

Council Member Kritz thanked Council Member Salberg for reiterating the Council rules and decorum. He said that concerning the cannabis ordinance, Council was provided with this two weeks ago and he read through it in detail and if he had any concerns, he would have raised them then. He continued that this doesn't mean that he doesn't care about the safety of our children and neighborhoods and he takes offence that this is the result that is drawn when Council Members don't second a motion to table something

that came up weeks ago. He continued that when he joined Council he thought and hoped that it would be collaborative, not confrontational. He echoed what was said about the FD as those volunteers are extremely dedicated. He stated that Memorial Day should be observed, not celebrated, and to pay our respects to those who have fallen. He recapped upcoming sports teams' signups and events.

Council Member Friedlander reported that the library is following State protocols and opening more things up and that the quiet room looks very nice. He said that the Historical Society had one last open house before the construction begins inside. He stated that regarding the Board of Assessment Commissioners (BOAC), he is in constant contact with members and the Township Attorney and that meeting has changed from the tentative May 26 date. He said that he is tired of hearing about the one Council Member who is on that system and that the fact that this has been ongoing for years is unrelated. He said that Memorial Day is a time to be respectful and that he was named after an uncle who was shot down in WWII, and to remember those who made sacrifices.

Council Vice President Sackett said he wants to address the lie that some Council Members don't care about the safety and security of children as it pertains to the ordinance for cannabis. He read from a flyer that referenced police security in K through 8 schools and said that Council Member Kelley wanted to table the appointment of Class III officers while he pushed for the vote for those officers that night. He thanked Council Member Friedlander for his service. He thanked Mayor Puzio for answering his question regarding Peterson basketball courts so that he could tell the little kids asking what the hoop specifications were. He reported that it is good to see the Mayor and Council Members at sports events, and that residents appreciate it. He is looking forward to attending various Memorial Day events.

Council President Jackson reported that he went to a Babe Ruth game this weekend at Oak Meadow and the field looks great. He listed upcoming Memorial Day events. He read an email that was sent to the Township's and Borough's Police Chiefs from an experienced paramedic that commended the actions of two officers, including Gregory Albert working for the Township, in a crisis that involved saving a child's life.

Mayor Puzio said that when he first read the email that Council President Jackson just read, it really affected him. He expressed sincere thanks for the profound impact the Police Department, EMS, and FD can have on lives. He said that at the last meeting there was a representative from the FD who spoke during the public portion and he wanted to address the generator issue raised. He continued that the Township has 27 generators and sometimes with equipment there are failures but that there has never been an issue where the Township could not respond to a fire. He said that if Council wants to make changes to an ordinance, contact Administration ahead of time and that the changes must be sound. He thanked Council for adopting the ordinance and said that the Township was under a time constraint with the State and that if this didn't pass the State would institute its own framework. He reported on Council Member Kelley's suggestion to rename Peterson Fields after Mayor Dachisen, noting that he spoke to the former Mayor's family members and they were ecstatic that the basketball courts were being named after him and didn't want the name Peterson Fields to change. He added that they thanked all the Council Members who supported the improvement initiatives.

He reported that the Township is working on another Table of Hope event and invited Council Members to support this. He wished all a relaxing Memorial Day and asked all to reflect on sacrifices made by those who served. He noted that the paving of the basketball courts is scheduled for tomorrow and that we're getting there one section at a time as this is a big project. He ended by saying that we are examining our funds to make sure that this is done prudently and correctly.

Attorney Iacofano stated that he had no report.

Ms. Seger said that the Mayor spoke on the generator issue but she also wanted to explain that the reason the generators were not turning on was because they get stuck when there were brownout conditions rather than complete blackouts, adding that they do get taken care of. She addressed Mr. Bush's complaint at the last meeting about a delayed refund from the Township, giving the reason for the time it took and noting that the finance department does a good job. She noted, on the subject of special events permits, that there are many non-profits but they have to be 501c(3) because many aren't tax deductible. She concluded by stating that the website will be updated and wished all a great Memorial Day weekend.

Ms. Ferrante reported that the basketball courts were getting paved but need to off gas and sit so they won't be opened right away and asked for patience. She said that the County has agreed to do the Mt. Hope Ave. milling and paving at night beginning June 1st to limit disruption and will last approximately two weeks.

Ms. Palmieri wished all a happy and safe Memorial Day.

Motion was made by Council Member Quinn, seconded by Council Member Brookes, to adjourn this meeting at approximately 7:50PM. All members unanimously agreed.

The next Regular Meeting of the Council of the Township of Rockaway is scheduled for June 15, 2021.

Respectfully Submitted,

Christina Clipperton
Municipal Clerk