

## ROCKAWAY TOWNSHIP COUNCIL – JULY 13, 2021 REGULAR MEETING MINUTES

The Regular Meeting of the Township Council of the Township of Rockaway was held on Tuesday, July 13, 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, Salberg, Noon, Sackett, and Jackson.

**Absent:** Council Members Kritz and Brookes

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

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](mailto: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 May 15, 2021 and the Star Ledger on May 17, 2021, the official newspapers for the Township of Rockaway. Notice was posted on the official bulletin boards of Rockaway Township.”

### **APPROVAL OF MINUTES:**

June 15, 2021 – Regular Meeting

Motion was made by Council Member Friedlander, seconded by Council Member Salberg, to approve the June 15, 2021 Regular Meeting Minutes.

Roll Call Was Taken.

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

Nah Votes: 1 (Kelley)

Motion carries.

**ORDINANCES TO ADOPT:**

**O-21-25 AN ORDINANCE REPEALING AND REPLACING CHAPTER 5, ARTICLE V, ENTITLED PEDDLERS, CANVASSERS, SOLICITORS AND MOBILE FOOD VENDORS OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF ROCKAWAY**

Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to adopt Ordinance O-21-25.

**Public Hearing/Council Discussion**

Council Member Salberg said that he has already asked this question of Administration and got it answered but he wants to bring this to the attention of Council. He continued that he had asked about legitimate organizations who as part of their job description are required to solicit door to door, Verizon as an example, and whether they would be responsible to get licensed individually or would the corporation be responsible. Attorney Iacofano responded that repair people who are responding to calls are exempt, but anyone who is not invited and is soliciting for services is responsible to register under the ordinance.

Roll Call Was Taken.

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

Nah Votes: 1 (Salberg)

Motion carries.

**OPEN TO THE PUBLIC:**

Patrick Egan, 49 Lenox Rd. Mr. Egan stated that the Rockaway Township Rec Girls' Softball League is holding a golf outing on Wednesday, August 25<sup>th</sup> at Crystal Springs and if anyone is interested in being part of a foursome he can be contacted at 973-713-0342. There will be complimentary gift bags and lunch, and the money raised supports the girls.

**ORDINANCES TO INTRODUCE:**

**O-21-26 ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM, THE SANITARY SEWERAGE COLLECTION SYSTEM AND THE STORMWATER MANAGEMENT SYSTEM IN AND BY THE TOWNSHIP OF ROCKAWAY, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$1,354,201.76 THEREFOR CONSTITUTING PROCEEDS OF A GRANT FROM THE AMERICAN RESCUE PLAN ACT OF 2021.**

Motion was made by Council Member Kelley, seconded by Council Member Quinn, to introduce Ordinance O-21-26.

Roll Call Was Taken.

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

Nah Votes: 1 (Sackett)

Motion carries.

**O-21-27 AMENDING CHAPTER VII TRAFFIC, ARTICLE I, SECTION 7-10 STOP INTERSECTION, SECTION 7-11 YIELD INTERSECTION AND SECTION 7-12 TURN**

PROHIBITIONS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF  
ROCKAWAY, COUNTY OF MORRIS, STATE OF NEW JERSEY

Motion was made by Council Member Kelley, seconded by Council Member Quinn, to introduce Ordinance O-21-27.

Roll Call Was Taken.

Yah Votes: 7 (Kelley, Quinn, Friedlander, Salberg, Noon, Sackett, Jackson)

Nah Votes: 0

Motion carries.

**O-21-28 AN ORDINANCE AMENDING CHAPTER 6 “ALCOHOLIC BEVERAGE CONTROL”, SPECIFICALLY SECTION 3.4 “LICENSE FEES, MAXIMUM NUMBER” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROCKAWAY**

Motion was made by Council Member Quinn, seconded by Council Member Noon, to introduce Ordinance O-21-28.

Roll Call Was Taken.

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

Nah Votes: 0

Abstentions: 1 (Kelley)

Motion carries.

**CONSENT AGENDA:**

**R-21-127 REDEMPTION OF TAX TITLE LIEN C#20-012 BLOCK 22006 LOT 50, KNOWN AS 49 OMAHA AVE.**

**R-21-128 RESOLUTION AMENDING R-21-25 AND CHANGING THE SPECIAL EVENT PERMIT FEE FOR THE REMAINDER OF THE CALENDAR YEAR 2021 PURSUANT TO ORDINANCE O-20-13**

**R-21-129 RESOLUTION AUTHORIZING THE TWENTY-FOUR (24) MONTH RENEWAL OF THE FIRE DEPARTMENT GROUP LIFE INSURANCE CONTRACT WITH STANDARD INSURANCE COMPANY**

**R-21-130 RESOLUTION AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE TO ACCEPT A NEW JERSEY STATE GRANT IN THE AMOUNT OF \$108,014.00 FROM THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY FOR POLICE BODY CAMERA EQUIPMENT**

**R-21-131 AUTHORIZING AND APPROVING A CERTAIN SOIL DISTURBANCE PERMIT FOR THE FARIELLO RESIDENCE WITH RESPECT TO REAL PROPERTY DESIGNATED ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY AS BLOCK 60001, LOT 7 LOCATED OFF COPPERAS RIDGE RD**

**R-21-132 AUTHORIZING AND APPROVING A CERTAIN SOIL DISTURBANCE PERMIT FOR THE MILLER RESIDENCE WITH RESPECT TO REAL PROPERTY DESIGNATED ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY AS BLOCK 21002, LOT 73 AND BEING MORE COMMONLY KNOWN AS 6 CHEROKEE AVE**

**R-21-133 AUTHORIZING AND APPROVING A CERTAIN SOIL DISTURBANCE PERMIT FOR THE DEVREIS RESIDENCE WITH RESPECT TO REAL PROPERTY DESIGNATED**

ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY AS BLOCK 40401,  
LOT 28 AND BEING MORE COMMONLY KNOWN AS 8 OAK LANE  
**R-21-134** RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE 2022  
STRENGTHENING LOCAL PUBLIC HEALTH CAPACITY PROGRAM GRANT  
**R-21-135** RESOLUTION AUTHORIZING THE INSERTION OF AN ITEM OF REVENUE IN  
THE 2021 BUDGET FOR ADDITIONAL FUNDING FOR STRENGTHENING LOCAL  
PUBLIC HEALTH CAPACITY PROGRAM

**R-21-136** RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT  
WITH MICHAEL J. HODGES, MHS, HO, REHS, CHES, FOR PROFESSIONAL SERVICES  
IN THE AMOUNT OF \$46,726 IN ACCORDANCE WITH THE LOCAL PUBLIC  
CONTRACTS LAW

**R-21-138** GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED  
STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT  
GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN  
EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"  
Motion was made by Council Member Quinn, seconded by Council Member Friedlander, to  
approve the consent agenda.

Motion was made by Council Member Kelley to remove from consent agenda R-21-132 and R-  
21-133 for separate vote, and R-21-136 and R-21-129 for discussion and separate vote. No one  
seconded.

Council Member Kelley stated that he can't vote on certain items in the consent agenda.

Roll Call Was Taken.

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

Nah Votes:

Abstentions:

Council Member Kelley did not vote.

Motion carries.

## **APPOINTMENTS**

### **COUNCIL APPOINTMENTS:**

**Firefighters:** Jack Young

**EMS:** Mihir Kansagra and Kunal (Ken) Deb

Council President Jackson congratulated all three and stated that he coached Jack Young in  
football for several years and he is happy to see that he has volunteered to be a first responder for  
the township.

Motion was made by Council Member Quinn, seconded by Council Member Kelley, to approve  
the Council Appointments of Jack Young as a Firefighter and Mihir Kansagra and Kunal (Ken)  
Deb as EMS.

Roll Call Was Taken.

Yah Votes: 7 (Kelley, Quinn, Friedlander, Salberg, Noon, Sackett, Jackson)

Nah Votes: 0

Motion carries.

**OLD BUSINESS, NEW BUSINESS, AND REPORTS:**

Council Member Quinn reported that the Peterson Field basketball courts, tennis courts and pickleball courts are being used. He said that the kids are having fun with summer sports. He said that Senior services and Dial-a-Ride had a lunch outing at Mama's and it was an excellent trip and thanked Dial-a-Ride and the administration for doing these trips.

Council Member Kelley reported that on July 4<sup>th</sup> there was a water main break on Green Pond Rd. and Sanders and he thanked the DPW and Water Department for addressing this on the holiday weekend. He stated that a storm came through on July 6<sup>th</sup> that caused power outages and fallen trees and he gave special thanks to Officer Parks and Officer Reddin, DPW, RJ Henderson, Peter Henderson, Fire Companies and other volunteers. He commended Ashton McKeon who recently became an Eagle Scout and has now enlisted in the Marines. He reported that concerning old business, he has reviewed election material that the Clerk gave him. He continued as follows:

Motion was made by Council Member Kelley to restore polling locations to where they were prior to COVID for the General Election. No one seconded.

Motion was made by Council Member Kelley to go back to in-person meetings at the next meeting in August. No one seconded.

Council Member Kelley noted that there was a recent employee appreciation picnic and asked how many attended. He made a recommendation to have a catered event by budgeting it for next year. He said that for Peterson Field improvement project, plans and a cost analysis were not provided prior to the vote and he asked how Council President Jackson was instrumental in getting this done other than voting on it. He also stated that he has asked the Township Clerk on several occasions about the procedure regarding the consent agenda when there is a conflict on individual items. Attorney Iacofano provided guidance. Council President Jackson stated that his question was out of order.

Council Member Friedlander reported that the Historical Society had their last open house on July 4<sup>th</sup> before construction starts. He noted that starting this Thursday, White Meadow Lake is holding Festival Days with a parade on Sunday.

Council Member Salberg thanked Administration for responding to his questions as quickly as they did so that he could make an educated decision.

Council Member Noon stated that she is glad that the basketball courts are open and wished all a great summer.

Council Vice President Sackett also stated that having the new courts open is very exciting and that he is looking forward to new things going on at Peterson in the future. He reported that he was happy to help out at the employee picnic and that he has been on Council for four years and it's the first time they've done anything for employees. He brought up the White Meadow Lake Festival Days and noted that there are fireworks on Sunday, the 18<sup>th</sup>.

Council President Jackson said thanks for the help with the employee cookout and that hopefully we can build on it over time. He reported that White Meadow Lake does routine blood drives and that with a major nationwide shortage, everyone should try to go.

Mayor Puzio reported on the Peterson improvements and the role of Council in the bid process. He read from a resident's email regarding the police department's response to an incident at their home relating to their child with special needs. He commended the officers, stating they were Sergeant Matt Tanis, Officer Brad Caron, Officer Jerome Daniels, and Officer Chuck Foster. He said that Administration and Engineering are working on water system projects including well 8 and well 10. He noted that White Meadow Lake is having Festival Days this weekend. He ended by saying that the money for improvements to Peterson Field was well spent that benefits the residents.

Attorney Iacofano reported on the outcome of litigation for Kelley v. Clipperton, Jackson, and Rockaway Township with a docket number of MRS-L-2179-20.

Motion was made by Council Member Kelley to allow Attorney Iacofano to answer some questions from the statements he just made. No one seconded.

Ms. Seger stated that she has no report.

Ms. Palmieri reported that the certified tax rate was received yesterday from the County and that the tax bills should go out by the end of the month with a prospective due date at the end of August. She encouraged tax-payers to use the online payment portal on the website, or drop payments off in the secure drop box outside, or to come into the building.

**CLOSED SESSION:**

**R-21-137 RESOLUTION AUTHORIZING AN EXECUTIVE (CLOSED) SESSION IN ACCORDANCE WITH THE NEW JERSEY OPEN PUBLIC MEETINGS ACT (N.J.S.A. 10:4-6, ET SEQ.) FOR DISCUSSION OF PENDING LITIGATION KELLEY V CLIPPERTON, ET ALS., DOCKET NO. MRS-L-000150-21**

Council President Jackson read R-21-137 in its entirety.

Motion was made by Council Member Quinn, seconded by Council Member Noon to approve Resolution R-21-137 and enter into Closed Session at 7:29PM.

Motion was made by Council Member Kelley to have Mr. Iacofano give his commentary on MRS-L-000150-21. No one seconded.

Roll Call Was Taken.

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

Nah Votes: 0

Abstentions: 1 (Kelley)

Motion carries.

The Council entered back into the public meeting at 7:52PM.

Motion was made by Council President Jackson, seconded by Council Member Quinn, to authorize and accept the settlement of the Council fee claims regarding MRS-L-000150-21 and authorize the Mayor and the Township Attorney to finalize all documents for that settlement.

Motion was made by Council Member Kelley to have the Township Attorney give a synopsis or commentary on what this is in reference to. No one seconded.

Roll Call Was Taken.

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

Nah Votes: 0

Abstentions: 1 (Kelley)

Motion carries.

Motion was made by Council Member Quinn, seconded by Council Vice President Sackett to adjourn this meeting at approximately 7:54PM. All members unanimously agreed.

The next Regular Meeting of the Council of the Township of Rockaway is scheduled for August 10, 2021.

Respectfully Submitted,



Christina Clipperton  
Municipal Clerk

	Motion	Second	Yes	No	Abstain	Absent
Kelley				X		
Quinn	X		X			
Friedlander		X	X			
Kritz			X			
Salberg			X			
Brookes					X	
Noon			X			
V.P. Sackett			X			
C.P. Jackson			X			