

## ROCKAWAY TOWNSHIP COUNCIL – OCTOBER 11, 2018

The Special Meeting of the Township Council of the Township of Rockaway was held on Thursday, October 11, 2018 in the Municipal Building, 65 Mt. Hope Road, Township of Rockaway, State of New Jersey commencing at 7:30p.m.

Council President Jedynak led those present in the Salute to the American Flag.

Council President Jedynak 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.

Present: Council Member Quinn, Council Member Friedlander, Council Member Puzio, Council Member Palumbo, Council Member Smith, Council Member Sackett, Council Member Kelley, Council Vice-President Abrahamsen and Council President Jedynak.

Present from Administration: Mayor Salberg, Attorney Iacofano, Ms. Seger, Ms. Palmieri and Ms. Ferrante.

Acting Clerk Christina Clipperton stated that “this meeting was advertised in the Daily Record, the official newspaper for the Township of Rockaway on January 8, 2018. Notice was posed on the Official Bulletin Board of Rockaway Township.”

Captain Wade Ryerson was designated as Sergeant of Arms.

Acting Council President Abrahamsen read the Township Code 2-5.15.

Township Code 2-5.15 Decorum:

While the Council is in session, the members shall preserve order and decorum. The Council President, at his/her discretion shall direct the Chief of Police or such other person in the Police Department as he may designate to be the Sergeant of Arms at the Council meeting. The Sergeant at Arms shall employ reasonable means to maintain the proper order and decorum consistent with accepted standards.

APPROVAL OF MINUTES:

A. June 26-2018 – Regular Meeting

Motion was made by Council President Jedynak, seconded by Council Vice-President Abrahamsen to approve the June 26, 2018 Regular Meeting Minutes.

Roll Call Was Taken.

Yah Votes – 7 (Council Members Friedlander, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 1 (Council Member Puzio)

Abstain – 1 (Council Member Quinn)  
Motion is carried.

B. August 7, 2018 – Regular Meeting

Motion was made by Council President Jedynek, seconded by Council Member Smith to approve the August 7, 2018 Regular Meeting Minutes.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynek)

Nah Votes – 0

Motion is carried.

C. August 22, 2018 – Special Meeting

Motion was made by Council President Jedynek, seconded by Council Member Kelley to approve the August 22, 2018 Special Meeting Minutes.

Roll Call Was Taken.

Yah Votes – 5 (Council Members Palumbo, Smith, Kelley, Vice-President Abrahamsen, President Jedynek)

Nah Votes – 3 (Council Members Friedlander, Puzio, Sackett)

Abstain – 1 (Council Member Quinn)

Motion is carried.

D. August 22, 2018 – Closed Session

Motion was made by Council President Jedynek, seconded by Council Vice-President Abrahamsen to approve the August 22, 2018 Closed Session Minutes.

Roll Call Was Taken.

Yah Votes – 5 (Council Members Palumbo, Smith, Kelley, Vice-President Abrahamsen, President Jedynek)

Nah Votes – 2 (Council Members Friedlander, Puzio)

Abstain – 2 (Council Members Quinn, Sackett)

Motion is carried.

COUNCIL APPOINTMENTS:

Emergency Medical Technician: Gabriella Rodriguez

Junior Firemen's Auxiliary: Anna Roque

Motion was made by Council President Jedynak, seconded by Council Vice-President Abrahamsen to approve the Council Appointments.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 0

Motion is carried.

RESOLUTIONS FROM THE MEETING OF SEPTEMBER 14, 2018:

The following items were previously voted on, on September 14, 2018 at a properly constituted meeting of the Rockaway Township Council. However on October 1, 2018, the court held otherwise, and the issue is now on appeal. In order to conduct necessary business, the following items will be voted on to ratify the prior action of the Council on September 14<sup>th</sup>.

(R-18-147) RESOLUTION AMENDING THE MINUTES OF THE JANUARY 2, 2018 TOWNSHIP COUNCIL REORGANIZATION MEETING

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

**R-18-147**

**RESOLUTION AMENDING THE MINUTES OF THE  
JANUARY 2, 2018 TOWNSHIP COUNCIL REORGANIZATION MEETING**

**WHEREAS**, on January 2, 2018, the Rockaway Township Council (the “Council”) held its annual reorganization meeting during which it voted 6 to 3 against the appointment of Iaciofano and Perrone, Esqs. as Township Attorney; and

**WHEREAS**, the vote against the appointment of Iaciofano and Perrone, Esqs. as Township Attorney was taken in connection with the Council’s vote on a group of professional appointments for legal services made by the Mayor; and

**WHEREAS**, the minutes of the January 2, 2018 Council reorganization meeting do not accurately reflect the vote taken on the Mayor’s professional appointments for legal services because they imply that two separate votes were taken when, in fact, only one vote was taken; and

**WHEREAS**, the Council desires to correct the minutes of the January 2, 2018 Council reorganization meeting to accurately reflect the vote that was taken on the Mayor's professional appointments for legal services.

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

1. The aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and
2. Page 8 of the minutes of the January 2, 2018 Council reorganization be and hereby is amended to reflect the single vote that was taken on the Mayor's professional appointments for legal services; and
3. The Municipal Clerk shall amend page 8 of the minutes of the January 2, 2018 Council reorganization meeting by recording the vote of each member of the Council on the Mayor's professional appointments for legal services as to the single roll call vote that was taken.

**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 October 11, 2018.

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Christina Clipperton  
Acting Municipal Clerk

Motion was made by Council President Jedynak, seconded by Council Vice-President Abrahamsen to adopt Resolution R-18-147.

Roll Call Was Taken.

Yah Votes – 5 (Council Members Palumbo, Smith, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 4 (Council Members Quinn, Friedlander, Puzio, Sackett)

Motion is carried.

(R-18-148) 2018 HOMESTEAD CREDIT REFUNDS ON 29 ROBIN ST. BLOCK 11113  
LOT 4; 179 W LAKE SHORE DR. BLOCK 20901 LOT 13; 1 TIMBERBROOK RD.  
BLOCK 40801 LOT 1.02

**RESOLUTION # R-18-148**

**2018 HOMESTEAD CREDIT REFUNDS ON:**

29 Robin St. Block:11113 Lot:4;  
179 W Lake Shore Dr. Block:20901 Lot:13  
1 Timberbrook Rd. Block:40801 Lot:1.02

**WHEREAS**, 2015 Homestead Credits were received from the State of New Jersey for the following exempt properties for the following amounts and the credits were applied to the 2018 4<sup>th</sup> quarter taxes as required by the State;

**WHEREAS**, the owners of these properties are 100% disabled veterans and have exemption status; and the Homestead applied has created credits for tax year 2018;

<b><u>BLOCK / LOT</u></b>	<b><u>PROPERTY</u></b>	<b><u>OWNER</u></b>	<b><u>REFUND DUE</u></b>
11113-004	29 Robin St.	J. Ferrante	\$372.43
20901-13	179 W Lake Shore Dr.	R. & J. Balance	\$400.93
40801-1.02	1 Timberbrook Rd.	S. & V. Antonelli	\$368.02

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Rockaway, County of Morris, State of New Jersey that the Township Treasurer is authorized to refund the above owners and the tax collector to adjust her records accordingly.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Township Treasurer.

**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 **October 11, 2018**.

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Christina Clipperton  
Acting Municipal Clerk

Motion was made by Council President Jedynek, seconded by Council Member Puzio to adopt Resolution R-18-148.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynek)

Nah Votes – 0  
Motion is carried.

(R-18-149) REDEMPTION OF TAX TITLE LIEN C#17-0010 AGAINST BLOCK 11116  
LOT 39.71 KNOWN AS 71 LAUREL WOOD CT

**RESOLUTION # R-18-149**

**REDEMPTION OF TAX TITLE LIEN C#17-0010  
AGAINST BLOCK 11116 LOT 39.71 KNOWN AS  
71 LAUREL WOOD CT.**

**WHEREAS**, the Tax Collector's Office has received payment for redemption of **Tax Title Lien #17-0010** on **Block: 11116 Lot: 039.71** known as: **71 LAUREL WOOD CT.** in the name of: **MC CARTHY.**

**WHEREAS**, reimbursements are now required to be made to the following Lien Holder,  
**TRYSTONE CAPITAL ASSETS**  
**575 RT 70**  
**PO BOX 1030, 2<sup>ND</sup> FLOOR**  
**BRICK, NJ 08723**

From Tax Lien Redemption Account, Lien, Penalty, Interest and Costs:

**TAX TITLE LIEN:     \$   459.55**  
**PREMIUM:            \$  1,000.00**

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Rockaway, County of Morris, State of New Jersey that the Township Treasurer is authorized to prepare a check in the amount of: **\$ 1,459.55** made payable to:

**"ABOVE LIEN HOLDER"**

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Township Treasurer.

**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 **OCTOBER 11, 2018.**

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Christina Clipperton  
Acting Municipal Clerk

Motion was made by Council President Jedynek, seconded by Council Member Puzio to adopt Resolution R-18-149.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynek)

Nah Votes – 0

Motion is carried.

(R-18-150) REDEMPTION OF TAX TITLE LIEN C#17-0036 BLOCK 40401 LOT 35, KNOWN AS 35 LAKE END RD

**RESOLUTION # R-18-150**

**REDEMPTION OF TAX TITLE LIEN C#17-0036  
BLOCK 40401 LOT 35, KNOWN AS 35 LAKE END RD.**

**WHEREAS**, the Tax Collector's Office has received payment for redemption of **Tax Title Lien #17-0036** on **Block: 40401 Lot: 35** known as: **35 LAKE END RD.** in the name of: **PLAUT.**

**WHEREAS**, reimbursements are now required to be made to the following Lien Holder,

**CHRISTIANA TRUST AS CUSTODIAN  
GSRAN-Z, LLC DEPOSIT ACCOUNT  
P.O. BOX 71276  
PHILADELPHIA, PA 19176-6276**

From Tax Lien Redemption Account, Lien, Penalty, Interest and Costs:

**TAX TITLE LIEN:     \$ 55,629.51**  
**PREMIUM:             \$ 145,100.00**

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Rockaway, County of Morris, State of New Jersey that the Township Treasurer is authorized to prepare a check in the amount of: **\$ 200,729.51** made payable to:

**"ABOVE LIEN HOLDER"**

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Township Treasurer.

**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 **OCTOBER 11, 2018.**

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Christina Clipperton  
Acting Municipal Clerk

Motion was made by Council President Jedynak, seconded by Council Member Smith to adopt Resolution R-18-150.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 0

Motion is carried.

(R-18-152) CANCELLATION & REFUND OF OVERBILLED 2018 TAXES ON: 14 CHARLOTTEBURG RD. BLOCK:50003 LOT:11; GREEN POND RD. BLOCK:22401 LOT:1.01; 2 GREEN POND RD. BLOCK:22103 LOT:6; WOODPORT RD. BLOCK:11501 LOT:45; MT HOPE RD. BLOCK:11301 LOT:10; AND 301-315 SPLIT ROCK RD. BLOCK:30901 LOT:11 Q-FARM

**RESOLUTION # R-18-152**

**CANCELLATION & REFUND OF OVERBILLED 2018 TAXES ON:**

**14 Charlotteburg Rd. Block:50003 Lot:11;  
Green Pond Rd. Block:22401 Lot:1.01;  
2 Green Pond Rd. Block:22103 Lot:6;  
Woodport Rd. Block:11501 Lot:45;  
Mt Hope Rd. Block:11301 Lot:10;  
and 301-315 Split Rock Rd. Block:30901 Lot:11 Q-Farm.**

**WHEREAS**, an overbilling of the final taxes on the following properties was a result of sub divisions or reduction in the assed values in the 2018 Tax Duplicate:

**WHEREAS**, the overbilled tax amounts must be cancelled; and when the cancellation creates an overpayment, it must be refunded to the property owners:

**WHEREAS**, the following property owners have overpaid their 2018 property taxes and refunds are due in the following amounts:

<u>BLOCK/LOT</u>	<u>PROPERTY</u>	<u>OWNER</u>	<u>REFUND DUE</u>
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50003-11	14 Charlotteburg Rd	D & J Oakes	\$73.14
22401-1.01	Green Pond Rd.	Lennar	\$79,860.76
22103-6	2 Green Pond Rd.	Olenowski Realty Group	\$1,176.55
11501-45	Woodport Rd.	Pondview Estates Inc	\$19,310.02
11301-10	Mt Hope Rd	Fox Hills @ Rockaway Condo Assoc.	\$732.11
30901-11-QF	301-315 Split Rock Rd.	Koehler, Ben ET ALS	\$99.83

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Rockaway, County of Morris, State of New Jersey that the Township Treasurer is authorized to refund the above owners and the tax collector to cancel the overbilled taxes and to adjust her records accordingly.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Township Treasurer.

**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 October 11, 2018.

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Christina Clipperton  
Acting Municipal Clerk

Motion was made by Council President Jedynak, seconded by Council Vice-President Abrahamsen to adopt Resolution R-18-152.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 0

Motion is carried.

(R-18-153) RESOLUTION AUTHORIZING THE ENDORSEMENT OF A TREATMENT WORKS APPROVAL PERMIT APPLICATION FOR THE CONSTRUCTION OF CERTAIN SANITARY SEWER FACILITIES AND IMPROVEMENTS RELATED TO THE DEVELOPMENT OF PROPERTY DESIGNATED AS BLOCK 11001, LOT 2 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY MORE COMMONLY KNOWN AS 305 MOUNT PLEASANT AVENUE (BC ROCKAWAY, LLC. / MILLER'S ALE HOUSE)

**RESOLUTION NO. R-18-153**

**RESOLUTION AUTHORIZING THE ENDORSEMENT OF A TREATMENT WORKS APPROVAL PERMIT APPLICATION FOR**

**THE CONSTRUCTION OF CERTAIN SANITARY SEWER FACILITIES  
AND IMPROVEMENTS RELATED TO THE DEVELOPMENT OF  
PROPERTY DESIGNATED AS BLOCK 11001, LOT 2 ON THE  
OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY  
MORE COMMONLY KNOWN AS 305 MOUNT PLEASANT AVENUE  
(BC ROCKAWAY, LLC. / MILLER'S ALE HOUSE)**

**WHEREAS**, BC Rockaway LLC ("Applicant") received preliminary and final site plan approval from the Township of Rockaway Planning Board in connection with the development of a restaurant (Miller's Ale House) on approximately 14.4 irregularly shaped acres in the J.C. Penney portion of the Rockaway Townsquare Mall designated as Block 11001, Lot 2 on the Official Tax Map of the Township of Rockaway ("Project"); and

**WHEREAS**, in order to provide sanitary sewer service to the Project, it is necessary that certain sanitary sewer improvements be constructed on-site, including the extension of the sanitary sewer lines consisting of mains, manholes and other connections in order to serve the Project ("Sanitary Sewer Facilities"); and

**WHEREAS**, pursuant to the regulations adopted by the New Jersey Department of Environmental Protection ("NJDEP"), a Treatment Works Approval Permit for the construction of the Sanitary Sewer Facilities must be obtained; and

**WHEREAS**, the Township Engineer and the Utility Superintendent have reviewed the applications and plans, together with all other accompanying documents, and have recommended the approval thereof by the Township; and

**WHEREAS**, the Township of Rockaway desires to endorse the Treatment Works Approval Permit Applications and authorize the execution of the appropriate Statements of Consent by the appropriate officials.

**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 Township hereby endorses for approval a certain Treatment Works Approval Permit Application submitted by BC Rockaway, LLC in connection with the construction of certain Sanitary Sewer Facilities in connection with the development of the Project on Block 11001, Lot 2 on the Official Tax Map of the Township of Rockaway.

2. The Mayor and Township Clerk, together with the Township Business Administrator, Township Engineer and Utility Superintendent are hereby authorized and directed to execute the Treatment Works Approval Permit Application.

3. The Mayor, Township Clerk, Township Business Administrator, Township Engineer, and Utility Superintendent together with all other appropriate officials, employees, and professional staff are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this resolution.

4. The Township hereby endorses and recommends for approval to the RVRSA an allocation of gallonage for the Project in accordance with applicable rules and regulations of the RVRSA.

5. All construction of the Sanitary Sewer Facilities are subject to inspection and approval by the appropriate entities having jurisdiction thereover.

6. All application fees for this submission shall be paid by the applicant and no fees or costs shall be paid or incurred by the Township,

7. This Resolution shall take effect immediately.

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

I, Christina Clipperton, Acting 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 October 11, 2018.

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Christina Clipperton  
Acting Township Clerk

Motion was made by Council President Jedynak, seconded by Council Member Friedlander to adopt Resolution R-18-153.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 0

Motion is carried.

(R-18-154) REDEMPTION OF TAX TITLE LIEN C#16-0003 BLOCK 10501 LOT 85, 54 HIGHVIEW TERR.

**RESOLUTION # R-18-154**

**REDEMPTION OF TAX TITLE LIEN C#16-0003  
BLOCK 10501 LOT 85, 54 HIGHVIEW TERR.**

**WHEREAS**, the Tax Collector's Office has received payment for redemption of **Tax Title Lien #16-0003** on **Block: 10501 Lot: 85** known as: **54 HIGHVIEW TERR.** in the name of: **BANK OF AMERICA NA.**

**WHEREAS**, reimbursements are now required to be made to the following Lien Holder,  
**MTAG AS CUST FOR EBURY FUND 1 NJ LLC**  
**PO BOX 37695**  
**BALTIMORE, MD 21297**

From Tax Lien Redemption Account, Lien, Penalty, Interest and Costs:

**TAX TITLE LIEN:   \$ 1,063.64**  
**PREMIUM:           \$ 1,100.00**

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Rockaway, County of Morris, State of New Jersey that the Township Treasurer is authorized to prepare a check in the amount of: **\$ 2,163.64** made payable to:

**"ABOVE LIEN HOLDER"**

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Township Treasurer.

**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 **OCTOBER 11, 2018.**

\_\_\_\_\_  
Christina Clipperton  
Acting Municipal Clerk

Motion was made by Council President Jedynek, seconded by Council Member Puzio to adopt Resolution R-18-154.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynek)

Nah Votes – 0

Motion is carried.

(R-18-155) RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE TO \$1,402,920.00 FOR U.S. HOME CORPORATION D/B/A LENNAR (FORMERLY KNOWN AS COVENTRY PARK AT ROCKAWAY) REGARDING THE PROPERTY DESIGNATED AS BLOCK 22041 LOT 1.01 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY (GREEN POND ROAD)

**RESOLUTION NO. R- 18-155**

**RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE TO \$1,402,920.00 FOR U.S. HOME CORPORATION D/B/A LENNAR (FORMERLY KNOWN AS COVENTRY PARK AT ROCKAWAY) REGARDING THE PROPERTY DESIGNATED AS BLOCK 22401 LOT 1.01 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY (GREEN POND ROAD)**

**WHEREAS**, U.S. Home Corporation d/b/a Lennar (Developer) has commenced construction of the Hills by Lennar (formerly known as Coventry Park at Rockaway) on the property designated as at Block 22401 Lot 1.01 on the Official Tax Map of the Township of Rockaway (Township); and

**WHEREAS**, pursuant to the Amended and Restated Developer's Agreement dated November 28, 2017, the Developer posted performance guarantees in the amount of \$4,676,400.00; and

**WHEREAS**, based on the completion of site improvements, the Developer has requested and the Township Engineer recommends approval of the reduction of the performance guarantees to a total amount of \$1,402,920.00.

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

1. The performance guarantee, in the amount of \$4,676,400.00 posted by the Developer is hereby released subject to the posting of a reduced performance guarantee of \$1,402,920.00 with the amount of \$140,292.00 to be deposited in cash and \$1,262,628.00 to be deposited in a form of security acceptable to the Township Attorney.

2. The Mayor and Township Clerk 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.

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

I, Christina Clipperton, Acting 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 October 11, 2018.

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Christina Clipperton  
Acting Township Clerk

Motion was made by Council President Jedynak, seconded by Council Member Friedlander to adopt Resolution R-18-155.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 0

Motion is carried.

(R-18-156) RESOLUTION AUTHORIZING IMPLEMENTATION OF MANDATORY PAYROLL DIRECT DEPOSIT FOR ALL TOWNSHIP EMPLOYEES AND ELECTED OFFICIALS

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

**R-18-156**

**RESOLUTION AUTHORIZING IMPLEMENTATION OF MANDATORY PAYROLL DIRECT DEPOSIT FOR ALL TOWNSHIP EMPLOYEES AND ELECTED OFFICIALS**

**WHEREAS**, P.L. 2013 c.28 (codified at N.J.S.A. 51:14-15f) authorizes municipalities to provide for the mandatory direct deposit of net pay for all employees and elected officials effective on or after July 1, 2014; and

**WHEREAS**, the Township of Rockaway (the “Township”) has reviewed its payroll processing methods to better align and streamline functionality and increase productivity with business operations; and

**WHEREAS**, the Township is committed to providing employee benefits designed to provide safety and reliability; and

**WHEREAS**, payroll direct deposit provides timeliness, safety, and reliability of employees’ pay; and

**WHEREAS**, this policy will require employees and elected officials of the Township to indicate in writing to the Chief Financial Officer, the specific banking institution(s) and designated checking account(s), and/or savings account(s) to which the deposit shall be made on behalf of the employee or elected official; and

**WHEREAS**, any employee or elected official seeking an exemption from this policy may apply in writing to the Chief Financial Officer of the Township, who shall forward the requested exemption to the Township Council for approval, which it may grant or deny in its absolute discretion.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Rockaway that, effective October 1, 2018 pursuant to N.J.S.A. 52:14-15f, mandatory direct deposit of net pay for all employees and elected officials of the Township of Rockaway shall be made to the specific banking institution(s) provided by each employee or elected official.

**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 October 11, 2018.



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Christina Clipperton  
Acting Township Clerk

Motion was made by Council President Jedynak, seconded by Council Member Smith to adopt Resolution R-18-156.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 0

Motion is carried.

(R-18-157) CANCELLATION OF FINAL 2018 OVERBILLED TAXES ON: 98 MT. HOPE RD. BLOCK: 20401 LOT:1; JACOBS RD. BLOCK: 40801 LOT: 85.01 Q-FARM

**RESOLUTION #R-18-157**

**CANCELLATION OF FINAL 2018 OVERBILLED TAXES ON:**

**98 Mt. Hope Rd. Block: 20401 Lot: 1;  
Jacobs Rd. Block: 40801 Lot: 85.01 Q-Farm;**

**WHEREAS**, an overbilling of the final taxes on the following properties was a result of sub divisions or deletion in the 2018 Tax Duplicate:

**WHEREAS**, the overbilled taxes must be cancelled to reflect the correct tax amounts billed for 2018 on the following properties:

<u>BLOCK/LOT</u>	<u>PROPERTY</u>	<u>OWNER</u>	<u>2018 Taxes to Cancel</u>
20401 – 1	98 Mt. Hope Rd.	Ashdyl Properties, LLC	\$3,248.44
40801 – 85.01 Q-Farm	Jacobs Rd.	Resnick, Steven	\$60.88

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Rockaway, County of Morris, State of New Jersey that the Township tax collector to cancel the overbilled taxes and to adjust her records accordingly.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Township Treasurer.

**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 October 11, 2018.

\_\_\_\_\_  
Christina Clipperton  
Acting Municipal Clerk

Motion was made by Council President Jedynek, seconded by Council Member Puzio to adopt Resolution R-18-157.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynek)

Nah Votes – 0

Motion is carried.

(R-18-158) RESOLUTION TO REFUND A 2018 SEWER MAINTENANCE OVERPAYMENT ON BLOCK:22401 LOT:3.04 ALSO KNOWN AS: 100 COMMONS WAY, OWNER: 100 COMMONS WAYS LLC/THE RECORD

**RESOLUTION # R-18-158**

**TO REFUND A 2018 SEWER MAINTENANCE OVERPAYMENT ON BLOCK: 22401 LOT: 3.04 ALSO KNOWN AS: 100 COMMONS WAY, OWNER: 100 COMMONS WAYS LLC / THE RECORD.**

**WHEREAS**, a duplicate Sewer Maintenance payment was received for 2018 on:

<b><u>BLOCK/LOT</u></b>	<b><u>PROPERTY</u></b>	<b><u>OWNER</u></b>	<b><u>REFUND DUE</u></b>
22401 – 3.04	100 COMMONS WAY	100 COMMONS WAYS LLC / THE RECORD	\$17,051.13

**WHEREAS**, the property owners have submitted a written request for the refund to be issued back to them at the following address:

THE RECORD  
ATTN: FRANK DEVETORI  
100 COMMONS WAY  
ROCKAWAY, NJ 07866

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Rockaway, County of Morris, State of New Jersey that the Township Treasurer is authorized to refund the above and the tax collector to adjust her records accordingly.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Township Treasurer.

**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 **OCTOBER 11, 2018**.

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Christina Clipperton  
Acting Municipal Clerk

Motion was made by Council President Jedynak, seconded by Council Member Friedlander to adopt Resolution R-18-158.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 0

Motion is carried.

(R-18-163) RESOLUTION AMENDING RESOLUTION R-18-68 AND R-18-82 BY ADDING TO THE RESOLUTIONS' LIST OF AUTHORIZED VENDORS FOR THE PURCHASE OF CERTAIN GOODS AND SERVICES THROUGH THE USE OF STATE, COUNTY AND REGIONAL COOPERATIVE CONTRACTS FOR THE CALENDAR YEAR 2018

### **RESOLUTION R-18-163**

AMENDING RESOLUTION R-18-68 and R-18-82 BY ADDING TO THE RESOLUTIONS' LIST OF AUTHORIZED VENDORS FOR THE PURCHASE OF CERTAIN GOODS AND SERVICES THROUGH THE USE OF STATE, COUNTY AND REGIONAL COOPERATIVE CONTRACTS FOR THE CALENDAR YEAR 2018

**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 Middlesex Regional Educational Services Commission (MRESC) have awarded contracts to various vendors as lowest responsible, responsive bidders for State and MRESC contracts; and

**WHEREAS**, by the passage of Resolution R-18-68 the Township authorized the purchase of certain goods and services from vendors who had been awarded such contracts for the calendar year 2018; and

**WHEREAS**, pursuant to Resolution R-18-68 the Township expressed its desire to facilitate the purchase of goods and services for the purchase of items which are regularly used in connection with the Township's provision of services to the residents; and

**WHEREAS**, pursuant to Resolution R-18-82 the Township added to its list of vendors for the purchase of goods and services of items which are regularly used in connection with the Township's provision of services to the residents; and

**WHEREAS**, the Township wishes to add the following to the list of Vendors set forth in R-18-68 and R-18-82 for the goods and services identified hereby as follows:

Contract	Vendor name	Contract Number	Items to be Purchased
MRESC	Beyer Ford / Beyer of Morristown	ESCNJ 17/18-21	Vehicles, Trucks, Vans etc.
MRESC	Various Vendors	MRESC 15/16-08	Grounds Equipment

State	Various Vendors	80946	Firefighter Protective Clothing and Equipment
State	Various Vendors	80961	Firefighter Protective Clothing & Equipment

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

**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 and 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 2018 budget appropriations for each category of purchases/expenditures.

**CERTIFICATION**

I, Christina Clipperton, Acting 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 October 11, 2018.

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Christina Clipperton  
Acting Township Clerk

Motion was made by Council President Jedynak, seconded by Council Member Smith to adopt Resolution R-18-163.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 0

Motion is carried.

(R-18-164) RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO YOUR WAY CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE RICHARD MINE ROAD IMPROVEMENTS PROJECT IN THE TOTAL BID AMOUNT OF \$354,718.82

**RESOLUTION R-18-164**

**AUTHORIZING THE AWARD OF A CONTRACT TO  
YOUR WAY CONSTRUCTION, INC.  
FOR THE CONSTRUCTION OF  
THE RICHARD MINE ROAD IMPROVEMENTS PROJECT  
IN THE TOTAL BID AMOUNT OF \$354,718.82**

**WHEREAS**, the Township of Rockaway ("Township") duly sought bids for the construction of the Richard Mine Road Improvements project; and,

**WHEREAS**, three (3) bids were received and opened by the Township on August 30, 2018; and

**WHEREAS**, the lowest bid, in the total bid amount of \$354,718.82 was submitted by Your Way Construction, Inc., (hereinafter "YWC"), 404 Coit Street, Irvington, N.J. 07111; and, the second lowest bid in the total bid amount of \$413,581.50 was received from Salmon Bros., Inc., P.O. Box 67, Netcong, N.J. 07857; and, the third lowest bid in the total bid amount of \$467,150.00 was received from Grade Construction, Inc., 110 Pennsylvania Avenue, Paterson, N.J. 07503; and

**WHEREAS**, a written recommendation that the Township award the bid

to YWC as the lowest responsive and responsible bidder was supplied to the Township on August 30, 2018 by James Lutz, Township Engineer; and,

**WHEREAS**, by letter of September 4, 2018 Counsel for the Township has indicated that Pedro Costa, YWC's President has signed the bid and associated documents on behalf of YWC and that YWC's bid documents are in order, and that the Contract should be awarded to YWC as the lowest responsive and responsible bidder; and

**WHEREAS**, the Township desires to authorize the award of the Contract to YWC as the lowest responsive and responsible bidder for a total contract price of \$354,718.82.

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

1. The Contract for construction of the Richard Mine Road Improvements project for the total bid price of Three Hundred Fifty Four Thousand Seven Hundred Eighteen Dollars and Eighty Two Cents (\$354,718.82) is hereby awarded to Your Way Construction, Inc., 404 Coit Street, Irvington, N.J. 07111 which amount is to be paid from Capital Accounts as follows:

\$ 18,005.00 from capital account c-04-55-212-008  
\$160,000.00 from capital account c-04-55-213-009  
\$ 50,000.00 from capital account c-04-55-216-008  
\$ 26,713.82 from capital account c-04-55-902-972  
\$100,000.00 from capital account c-04-55-218-011

2. The Mayor and Township Clerk are hereby authorized and directed to execute the contract subsequent to execution by YWC, and said officers,

together with all other officers, professionals and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

3. This award is subject to the Vendor's compliance with the requirements of P.L. 1975, c.127 (N.J.S.A. 10:5-31 et seq.) and the regulations thereunder regarding affirmative action and with the submission of all documents to the Township required by the bid specifications and b applicable law.

4. The foregoing award is further subject to the certification of availability of funds by the appropriate officers of the Township.

5. This Resolution shall take effect as herein provided.

#### **CERTIFICATION**

I, Christina Clipperton, 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 October 11, 2018.

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Christina Clipperton  
Acting Township Clerk

Motion was made by Council President Jedynek, seconded by Council Member Smith to adopt Resolution R-18-164.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynek)



Nah Votes – 0  
Motion is carried.

CONSENT AGENDA:

RESOLUTIONS:

(R-18-165) AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN BC ROCKAWAY, LLC AND THE TOWNSHIP OF ROCKAWAY CONCERNING CONSTRUCTION ON REAL PROPERTY IDENTIFIED AS BLOCK 11001, LOT 2.01 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY, NEW JERSEY, MORE COMMONLY KNOWN AS 325 MT. PLEASANT AVENUE

(R-18-176) AUTHORIZING AND APPROVING A CERTAIN SOIL DISTURBANCE PERMIT FOR BC ROCKAWAY, LLC WITH RESPECT TO REAL PROPERTY DESIGNATED ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY AS BLOCK 11001, LOT 2.01 AND BEING MORE COMMONLY KNOWN AS 325 MT. PLEASANT AVENUE

(R-18-177) AUTHORIZING THE AWARD OF A CONTRACT TO VMG GROUP FOR THE CONSTRUCTION OF THE SENIR CENTER ROOF REPLACEMENT PROJECT IN THE TOTAL BID AMOUNT OF \$47,000.00

**RESOLUTION NO. 18-165**

**AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN BC ROCKAWAY, LLC AND THE TOWNSHIP OF ROCKAWAY CONCERNING CONSTRUCTION ON REAL PROPERTY IDENTIFIED AS BLOCK 11001, LOT 2.01 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ROCKAWAY, NEW JERSEY, MORE COMMONLY KNOWN AS 325 MT. PLEASANT AVENUE**

**WHEREAS**, BC Rockaway, LLC (hereinafter "Developer") with a location at 24 South Holmdel Road, First Floor, Holmdel, NJ 07733 received Preliminary and Final Site Plan Approval to develop a certain real property recently designated as Block 11001, Lot 2.01 on the Official Tax Map of the Township of Rockaway, (Property); and

**WHEREAS**, the nature and the extent of the improvement/development aforesaid are set forth in the Resolution of the Rockaway Township Planning Board dated July 16, 2018; and

**WHEREAS**, the Developer is required to enter into a Developer's Agreement with the Township of Rockaway ("Township") setting forth the rights, duties and obligations of the parties in connection with the Development; and

**WHEREAS**, there has been prepared a Developer's Agreement by and between the Developer and the Township dated \_\_\_\_\_, 2018 and

**WHEREAS**, the Township desires to authorize the execution of the Developer's Agreement subsequent to its execution by the Developer;

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

1. All the terms and conditions of a certain Developer's Agreement dated \_\_\_\_\_, 2018 by and between the Township of Rockaway and the Developer are hereby approved, ratified and confirmed by the Township of Rockaway.

2. The Mayor and Clerk are hereby authorized to execute said Developer's Agreement subsequent to the execution by the Developer and together with other appropriate officers and employees of the Township are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.

3. The Township hereby authorizes and approves any non-substantive modifications to the Developer's Agreement as may be recommended and approved by the Township Engineer and Township Attorney prior to execution.

4. This Resolution shall take effect immediately.

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

I, Christina Clipperton, 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 October 11, 2018.

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Christina Clipperton  
Acting Township Clerk

**RESOLUTION NO. R-18-176**

**AUTHORIZING AND APPROVING A CERTAIN  
SOIL DISTURBANCE PERMIT FOR BC  
ROCKAWAY, LLC WITH RESPECT TO REAL  
PROPERTY DESIGNATED ON THE OFFICIAL  
TAX MAP OF THE TOWNSHIP OF ROCKAWAY  
AS BLOCK 11001, LOT 2.01 AND BEING  
MORE COMMONLY KNOW AS 325 MT.  
PLEASANT AVENUE**

**WHEREAS**, BC Rockaway, LLC, located at 24 South Holmdel Road, First Floor, Holmdel, NJ 07733 made an application for a soil disturbance permit, respecting the real property designated on the Official Tax Map of the Township of Rockaway as Block 11001, Lot 2.01 (property); and

**WHEREAS**, the soil disturbance application was filed for the purpose of securing authorization for the disturbance of 1700 cubic yards of soil to be removed from the property and taken to a location outside of the boundaries of the Township of Rockaway; and

**WHEREAS**, the soil disturbance permit is required for the construction of Miller's Ale House located at 325 Mt. Pleasant Avenue; and

**WHEREAS**, the applicant is required to post a bond to guarantee the implementation of proper excavation and soil erosion control measures in accordance with the Township Engineer's Cost Estimate dated October 3, 2018; and

**WHEREAS**, the applicant is also required to pay the necessary fees in compliance with Chapter XX, Soil Protection, of the Revised General Ordinances of the Township of Rockaway; and

**WHEREAS**, the Township Engineer has reviewed the soil disturbance application of the applicant and has recommended that the application be granted subject to compliance with the Soil Protection Ordinance, Zoning Board of Adjustment Resolution, other applicable Law and Regulations, and such conditions as are contained below.

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

1. The application of BC Rockaway, LLC, for a soil disturbance permit to disturb and remove soil and deposit it on and/or remove it from the property designated as Block 11001 Lot

2.01 of the Township's Official Tax Map is hereby approved and authorized.

2. The Township Council has reviewed and accepted the application and the recommendations of the Township Engineer to approve the subject soil disturbance permit, which recommendation has resulted from the Engineer's consideration of soil erosion of water and wind, drainage, soil fertility, lateral support slopes, grades of abutting streets and lands and land values and uses and related factors pursuant to Subsections 20-1.6 and 20-1.7 of the Soil Protection Ordinance. And, the Council finds that the permit may be granted without compromising the public health, safety, and general welfare if the following conditions are met:

A. The Applicant shall comply with each and every condition required by the Planning Board which have been made part of the Resolution dated July 16, 2018 and of the record before the Planning Board and which have been incorporated by reference in and supplemented by the relevant Developer's Agreement.

B. The Applicant shall deposit with the Township a performance guarantee in the total amount of eighteen thousand, three hundred sixty dollars (\$18,360.00) (at least ten percent in the form of cash with the remaining amount in a form satisfactory to the Township Attorney).

C. The Applicant is required to pay the necessary

application fee of \$500.00 and a Permit Fee of \$425.00 in compliance with Chapter XX, Soil Protection, of the Revised General Ordinances of the Township of Rockaway.

D. The Applicant must coordinate the excavation and deposit of soil on the site so as not to interfere with vehicular traffic.

E. Applicant must repair any damage to public or private property resulting from the soil disturbance activities.

F. This Resolution shall take effect immediately.

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

I, Christina Clipperton, 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 October 11, 2018.

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Christina Clipperton, Acting Township Clerk

### **RESOLUTION R-18-177**

#### **AUTHORIZING THE AWARD OF A CONTRACT TO VMG GROUP FOR THE CONSTRUCTION OF THE SENIOR CENTER ROOF REPLACEMENT PROJECT IN THE TOTAL BID AMOUNT OF \$47,000.00**

**WHEREAS**, the Township of Rockaway ("Township") duly sought bids for the construction of the Senior Center Roof Replacement project; and,

**WHEREAS**, nine (9) bids were received and opened by the Township on September 6, 2018; and

**WHEREAS**, the lowest bid, in the total bid amount of \$47,000.00 was

submitted by VMG Group (hereinafter "VMG"), 228 Cox Street, Roselle, NJ 07203; the second lowest bid in the total bid amount of \$49,000.00 was received from Safeway Contracting, Inc. 136, Market Street, Kenilworth, NJ 07033; and, the third lowest bid in the total bid amount of \$49,250.00 was received from Advanced Roofing & Sheet Metal Co., Inc., 112 Greylock Parkway, Belleville, NJ 07109; and

**WHEREAS**, written recommendations that the Township award the bid to VMG as the lowest responsive and responsible bidder were supplied to the Township on September 18, 2018 by Joseph A. Gates, AIA, and on September 24, 2018 by Allison Ferrante, the Township Engineer; and,

**WHEREAS**, by letter of September 30, 2018 Counsel for the Township has indicated that an authorized person, Vane Bojcev, VMG's President, has signed the bid and associated documents on behalf of VMG; that VMG's bid documents are in order; and, that the Contract should be awarded to VMG as the lowest responsive and responsible bidder; and

**WHEREAS**, the Township desires to authorize the award of the Contract to VMG as the lowest responsive and responsible bidder for a total contract price of \$47,000.00.

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

1. The Contract for Senior Center Roof Replacement project for the total bid price of Forty-Seven Thousand Dollars and No Cents (\$47,000.00) is hereby awarded to VMG Group, 228 Cox Street, Roselle, NJ 07203 which

amount is to be paid from General Account #8-01-40-738-000/ Community Development Block Grant.

2. The Mayor and Township Clerk are hereby authorized and directed to execute the contract subsequent to execution by VMG, and said officers, together with all other officers, professionals and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

3. This award is subject to the Vendor's compliance with the requirements of P.L. 1975, c.127 (N.J.S.A. 10:5-31 et seq.) and the regulations thereunder regarding affirmative action and with the submission of all documents to the Township required by the bid specifications and by applicable law.

4. The foregoing award is further subject to the certification of availability of funds by the appropriate officers of the Township.

5. This Resolution shall take effect as herein provided.

#### **CERTIFICATION**

I, Christina Clipperton, 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 October 11, 2018.

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Christina Clipperton  
Acting Township Clerk



Motion was made by Council President Jedynak, seconded by Council Vice-President Abrahamsen to approve the consent agenda.

Roll Call Was Taken.

Yah Votes – 9 (Council Members Quinn, Friedlander, Puzio, Palumbo, Smith, Sackett, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 0

Motion is Carried.

### REPORTS:

Council Member Quinn attended the Recreation Committee meeting, there will be several items coming to the Council for approval. The Board of Education has not settled their contracts yet.

Council Member Friedlander announced that the Library had settled their contracts and thanked the Road Department for the paving done in White Meadow Lake, and brought road Maintenance concerns on Meridan Road to the Administration's attention.

Council Member Puzio addressed the public's concerns in regard to bullying and opiate abuse. The Board of Education is working on implementing a program, L.E.A.D. (Law Enforcement Against Drugs) into the curriculum. Council Member Puzio reminded the public about the Stop The Bleed program being hosted in White Meadow Lake that teaches life-saving techniques.

Council Member Palumbo had no report.

Council Member Smith announced that she had hoped to provide an update on the Richard Mine Road project, but the meeting was moved to October 12<sup>th</sup>.

Council Member Sackett attended the Flu Clinic that was held today, there will be another Flu Clinic held on October 18<sup>th</sup>. The Trunk or Treat event will be held on October 27<sup>th</sup>.

Council Member Kelley discussed the road maintenance concerns on Meridan Road, and safety concerns at the intersection of Meridan Road and Green Pond Road. Council Member Kelley questioned Acting Township Engineer, Allison Ferrante about potential solutions for issues with catch basins on Elm Street. Council Member Kelley also asked Administration if there were any updates about the Bowlbyville Sewer Line Assessments.

There was discussion amongst the Council and Administration about the status of the Bowlbyville Sewer Line Assessments.

Motion was made by Council Member Kelley, seconded by Council Vice-President Abrahamsen for the Township Attorney to provide the Council with the same report requested by the Acting Business Administrator in reference to the Bowlbyville Sewer Line Assessment non-payment situation.

Roll Call Was Taken.

Yah Votes – 5 (Council Members Palumbo, Smith, Kelley, Vice-President Abrahamsen, President Jedynek)

Nah Votes – 4

Motion is carried.

Council Vice-President Abrahamsen had no report.

Council President Jedynek would like to meet with Mayor Salberg to make other location accommodations for Council Meetings.

Mayor Salberg thanked the resident who donated the portrait of Mayor Michael Dachisen and read memo received from Attorney Iacofano, received on October 11, 2018. Mayor Salberg asked Council President Jedynek to listen to others and work together.

OPEN TO THE PUBLIC:

Michael Ilardi, 19 N. Brookside Drive – Mr. Ilardi raised concerns about phone-in attendance of Council Members, the Bowlbyville Sewer Assessments and how they would effect new homeowners, the status of the proposed Wawa development, and asked the Council to start working together.

Dave Press, 71 Oakland Avenue – Mr. Press raised concerns about rules being followed, how residents are being treated and welcomed Mayor Salberg and Attorney Iacofano.

Barry Silbiger, 12 Lakeshore Drive – Mr. Silbiger questioned the actions of the Council.

Pat Degnan, 88 Valley View Road – Ms. Degnan provided documents to the Council titled “Appendix – Best Practices Checklist for Engaging and Managing Legal Counsel” and “An Analysis of Legal Fees Paid By New Jersey Local Governments”. Ms. Degnan questioned the conduct of Council Meetings, the preparation of Minutes, and public advertising.

Rebecca Wickens, 3 Darlington Drive – Ms. Wickens raised concerns about phone-in attendance of Council Members, and spoke about the Court’s decision today in regard to the appeal filed against the October 1, 2018 decision of Judge Minkowitz.

Jim Warters, 48 Seneca Avenue – Mr. Warters spoke about the Court’s decision today, questioned the Council’s following of the Township Code and Robert’s Rules of Order. Mr. Warters also questioned the posting of agendas on the Library Bulletin Board.

Laura Locklin, 3308 Cleveland Avenue – Ms. Locklin raised concerns about the protocol for accommodating a large public presence at Council Meetings.

Ed Mariani, 3 Carla Court – Mr. Mariani raised concerns about the Council’s actions and the treatment of Township employees. Mr. Mariani also spoke about the Township’s loss of Mayor Dachisen.

Kim Kleindienst, 8 Nokomis Avenue – Ms. Kleindienst spoke about the Court’s decision today and the documents that were filed about the appeal. Ms. Kleindienst expressed concerns about the Council needing to take responsibility for their actions.

Lisa Salberg, 10 Bergen Hill Road – Ms. Salberg spoke about the litigation filed against the Township, Open Public Meetings Act regulations and requirements. Ms. Salberg raised concerns about changing the venue for Council Meetings to accommodate the public and the announcement of votes.

Emily Kullman, 18 Lakeshore Drive – Ms. Kullman asked the Council to wait until the room is quiet to call up members of the public and raised concerns about the treatment of members of the public.

Katey Platts, 2 Valhalla Way – Ms. Platts spoke about the Court’s decision today, raised concerns about Ordinance O-18-18 and the Mayor’s appointments of Business Administrator and Township Engineer not being on the agenda.

John Edmunds, 244 Kings Village, Budd Lake – Mr. Edmunds explained that he is with the Satire News, and raised concerns about his treatment by the Council at previous meetings.

Lisa Miller, 455 Mt. Hope Road – Ms. Miller raised concerns about Mayor’s Appointments not being on the agenda, and the protocol for accommodating the public presence at Council Meetings. Ms. Miller asked the Mayor and Council to find a new venue to hold the Council Meetings.

Deborah Limell, 234 W. Lakeshore Drive – Ms. Limell spoke about the political Facebook pages and raised concerns about unanswered emails and the actions of the Council.

Carol Lucas, 37 Stonybrook Road – Ms. Lucas read Council President Jedynak’s address from when he became Council President and asked the Council to start listening to the public. Ms. Lucas raised concerns about the treatment of Council Members among Council Members and meeting accommodations.

Joe Raich, 56 Commanche Avenue – Mr. Raich raised concerns about the scheduling of meetings and welcomed Mayor Salberg and Attorney Iacofano.

Patrick Egan, 59 Lenox Road – Mr, Egan asked the Council to consider their actions and behavior and to work together.

With no further business to attend to this evening, a motion was made by Council Vice-President Abrahamsen, seconded by Council Member Kelley to adjourn the meeting at 10:07p.m.

Roll Call Was Taken.

Yah Votes – 6 (Council Members Quinn, Palumbo, Smith, Kelley, Vice-President Abrahamsen, President Jedynak)

Nah Votes – 3 (Council Members Friedlander, Puzio, Sackett)

Motion is carried.

The next Regular Meeting of the Council of the Township of Rockaway is scheduled for October 23, 2018.

Respectfully Submitted,

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Christina Clipperton  
Acting Municipal Clerk