

**MAYOR & COUNCIL
REGULAR MEETING
JANUARY 13, 2011
7:30 p.m.**

The Regular Meeting of the Mayor and Council of the Borough of Rockaway, in the County of Morris, New Jersey, was held in the Community Center, 21-25 Union Street, Rockaway, N.J. with Mayor Russell Greuter presiding. Mayor Greuter called the meeting to order at 7:30 p.m.

Mayor Greuter read the following statement: In accordance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Laws, 1975, be advised that notice of this meeting was made by posting on the Bulletin Board, Town Hall, and sending to the officially designated newspapers, a list of meeting dates annually, indicating that the meeting would take place at the Community Center at 7:30 p.m. on January 13, 2011. Mayor Greuter announced the location of the fire exits.

Councilmembers Present

Thomas Donofrio
Joyce Kanigel
Thomas Mulligan
Joseph Vicente
John Willer
Melissa Burnside - Council President

Councilmembers Absent

Richard Beilin, Esq., representing Borough Attorney Ed Wacks, was also present.

Everyone present participated in the salute to the flag.

APPROVAL OF MINUTES

Upon motion by Councilman Mulligan, seconded by Councilman Vicente, and carried unanimously upon voice vote, the minutes of the December 9, 2010 and December 20, 2010 Regular Meetings were accepted as submitted.

CORRESPONDENCE

Mayor Greuter read a December 30, 2010 letter from Social Services Director Betty Shuman thanking the Governing Body for supporting the Holiday Program. Mayor Greuter thanked Council President Burnside for spearheading the effort and purchasing the gifts.

Mayor Greuter read a letter from Mrs. Mary Mackey, 26 Mott Pl., dated December 15, 2010 thanking the Borough for providing animal control services on December 8 and complimenting Norma Jacobs, Animal Control Officer, for her efforts.

Mayor Greuter read a January 6, 2011 letter from Butler & Butler, Attorneys at Law, 501 Lenox Avenue, Westfield, NJ, requesting that the Borough of Rockaway and/or the Rockaway Sanitary Sewer Authority assume responsibility for the sanitary sewer pump that is on property owned by Weldon Quarry at Nichols Drive and used by three adjacent property owners, thereby ensuring uninterrupted operation and maintenance, as well as equitably distributing costs between the users.

On motion by Councilman Mulligan, seconded by Councilman Vicente, and unanimously carried by voice vote to accept the correspondence, and to forward same to the Borough Engineer and Superintendent, Department of Public Works, for their recommendation.

Mayor Greuter read a postcard from the EPA announcing a public information meeting to be held on January 18 regarding the Superfund site and the re-initiation of the groundwater extraction and treatment system.

PUBLIC PORTION

Mayor Greuter opened the meeting to the public. There being no comments, Mayor Greuter closed the meeting to the public.

COUNCIL REPORTS

Personnel Committee - Councilwoman Kanigel

The 2010 staff attendance report was distributed which includes sick and vacation days for employees.

Upon motion by Councilman Willer, seconded by Councilman Vicente, and carried unanimously upon voice vote, to accept the Personnel Committee report.

Public Works/Public Utilities Committee - Councilman Donofrio

Mayor Greuter complimented the Public Works Department did a great job cleaning up the snow.

Upon motion by Councilman Willer, seconded by Councilman Vicente, and carried unanimously upon voice vote, to accept the Public Works/Public Utilities Committee report.

Ordinance Committee - Councilman Mulligan

Requested a closed session to discuss Teamsters Collective Bargaining Agreement Negotiations.

Finance and Licensing Committee - Councilman Vicente

Payment of Bills

Upon motion by Councilman Vicente, seconded by Councilman Willer, and carried unanimously upon voice vote, that the bills presented to the Borough of Rockaway for payment by the Borough, as evidenced by proper vouchers, be referred to the Committee or unit contracting for same, and, when endorsed by them and approved by appropriate action of Council, that they are to be paid.

Upon motion by Council President Burnside, seconded by Councilman Mulligan, and carried unanimously upon voice vote, to accept the Finance and Licensing Committee report.

Fire Committee - Councilman Willer

Fire Department

The Fire Department called drills on January 12 and 19 and accepted the resignation of Donna Robertson from active duty.

Upon motion by Councilman Willer, seconded by Councilman Mulligan, and carried unanimously upon voice vote, to approve the actions of the Fire Department.

Upon motion by Council President Burnside, seconded by Councilman Donofrio, and carried unanimously upon voice vote, to accept the Fire Committee report.

Public Safety Committee - Council President Burnside

Chief Scheer received \$1,600 from FEMA to recover the cost of expenses from a May 2010 storm and has applied for reimbursement for the December 27 storm expenses of \$18,677.

Mayor Greuter contacted the Police Department after observing people distributing advertisements for chimney cleaning; police promptly arrived and handled it.

Board of Health

Jean Rueter and Patricia Giannetti were elected as president and vice president of the Board of Health.

Upon motion by Councilman Vicente, seconded by Councilman Mulligan, and carried unanimously upon voice vote, to accept the Public Safety Committee report.

ATTORNEY'S REPORT

RVRSA Litigation

The discovery period has been extended; the case will probably go to court in May-June.

Upon motion by Councilman Willer, seconded by Councilman Vicente, and carried unanimously upon voice vote, to accept the Borough Attorney's report.

MAYOR'S REPORT

Discussed his activities, including attendance at the Super Seniors meeting and a meeting with Saint Clare's regarding the new dispatching system to be utilized by the ambulance service.

Upon motion by Councilman Willer, seconded by Councilman Donofrio, and carried unanimously upon voice vote, to accept the Mayor's report.

CLERK'S REPORT

In September 2010, a resolution was adopted to permit Priority Search Services read-only access to the Borough's Tax Collector records through Vital. Priority has now requested similar access to the water utility records. A resolution authorizing such access will be prepared for approval at the next meeting.

Upon motion by Councilman Vicente, seconded by Councilman Donofrio, and carried unanimously upon voice vote, to accept the Clerk's report.

CONSENT AGENDA ITEMS

Upon motion by Councilman Mulligan, seconded by Councilman Vicente, and carried unanimously upon call of the roll, the following resolutions were adopted:

RESOLUTION 19-11: RESOLUTION TO AWARD CONTRACT TURF MANAGEMENT OF RECREATION FIELDS

WHEREAS, on November 23, 2010, the Borough Clerk received six (6) bid proposals for Turf Management of Recreation Fields as follows:

Farmside Landscape and Design	DeAngelo Brothers Inc.	Greenleaf Landscape Systems & Services, Inc.
12 Kuperus Lane	100 North Conahan Drive	276 Pine Brook Road
Wantage, NJ 07461	Hazeltown, PA 18201	Eatontown, NJ 07724
973-875-7200	570-459-5800	732-935-1010
Total 2011 \$ 15,820.00	Total 2011 \$ 19,363.00	Total 2011 \$ 20,410.00
Total 2012 \$ 16,265.00	Total 2012 \$ 19,363.00	Total 2012 \$ 20,410.00
Total 2013 \$ 16,720.00	Total 2013 \$ 19,363.00	Total 2013 \$ 20,410.00
Grand Total: \$ 48,085.00	Grand Total: \$ 58,089.00	Grand Total: \$ 61,230.00

Fullerton Grounds Maintenance	Andy-Matt, Inc.	Nicola Matera & Sons, LLC
5 Howard Boulevard	P.O. Box 461	48 Old Jacksonville Road
Ledgewood, NJ 07852	Wharton, NJ 07885	Towaco, NJ 07082
973-927-0927	973-584-6869	201-943-8300
Total 2011 \$ 22,306.00	Total 2011 \$ 23,200.00	Total 2011 \$185,555.00
Total 2012 \$ 22,306.00	Total 2012 \$ 23,200.00	Total 2012 \$185,555.00
Total 2013 \$ 22,306.00	Total 2013 \$ 23,200.00	Total 2013 \$185,557.00
Grand Total: \$ 66,918.00	Grand Total: \$ 69,600.00	Grand Total: \$556,667.00 (corrected)

WHEREAS, the lowest bid as submitted by Farmside Landscape and Design, 12 Kuperus Lane, Wantage, NJ 07461 (973-875-7200), complied with the bid specifications, and the Superintendent Department of Public Works, has recommended that a contract be awarded to Farmside Landscape and Design; and

WHEREAS, the contract is being awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, a Certificate of Availability of Funds for a contract for Turf Management of Recreation Fields has been filed by the Borough of Rockaway Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED, that proper Borough officials are authorized and directed to execute a contract with Farmside Landscape and Design, 12 Kuperus Lane, Wantage, NJ 07461 (973-875-7200), in the amount of \$32,085.00 for Turf Management of Recreation Fields for a 2-year period on a form approved by the Borough Attorney.

DATE: January 13, 2011

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

CERTIFICATION FOR AVAILABILITY OF FUNDS

I, JOHN J. DOHERTY, Borough Treasurer, of the Borough of Rockaway, in the County of Morris, Jersey, do hereby certify that funds in the amount as stated in their contracts are currently available for the purpose of awarding a contract for the furnishing of goods or services to the following entity:

Farmside Landscape and Design, 12 Kuperus Lane, Wantage, NJ 07461 (973-875-7200); \$32,085.00
The Funds are chargeable to Budget Year: 2011 and 2012
Budget Line Item#: Parks and Playgrounds

DATE: January 13, 2011

BY: John J. Doherty, Treasurer

RESOLUTION 20-11: REFUND YEAR 2010 TAX OVERPAYMENT (BLOCK 66, LOT 2)

BE IT RESOLVED, by the Mayor and Council of the Borough of Rockaway to refund the year 2010 tax overpayment in the amount of \$2,569.19 to CoreLogic, P.O. Box 961250, Ft. Worth, TX 76161-0250.

DATE: January 13, 2011

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

PUBLIC PORTION

Mayor Greuter opened the meeting to the public. There being no comments, Mayor Greuter closed the meeting to the public.

CLOSED SESSION

Upon motion by Councilman Mulligan, seconded by Councilman Vicente, and adopted unanimously upon voice vote, the following resolution was adopted:

RESOLUTION 21-11: CLOSE MEETING TO THE PUBLIC

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances do exist;

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows: Teamsters Collective Bargaining Agreement Negotiations.
3. The minutes of the discussion shall be made public as soon as the matters under discussion are no longer of a confidential or sensitive nature.

4. This resolution shall take effect immediately.

DATE: January 13, 2011

BOROUGH OF ROCKAWAY

ATTEST: Sheila Seifert, Borough Clerk

BY: Russell Greuter, Mayor

Mayor and Council went into closed session at 7:52 p.m. and resumed the public meeting at 8:12 p.m.

ADJOURNMENT

The meeting adjourned at 8:12 p.m.

Approved:

Sheila Seifert, Borough Clerk

Date: