

MINUTES OF THE RE-ORGANIZATION MEETING OF THE MAYOR & COUNCIL OF THE BOROUGH OF ROCKLEIGH, HELD ON JANUARY 4, 2017 AT BOROUGH HALL, 26 ROCKLEIGH RD., ROCKLEIGH NJ AT 8 PM

Mayor Robert Schaffer called the meeting to order and led the meeting with a flag salute.

OPENING STATEMENT:

Mayor Schaffer announced that the meeting of this date is being held in compliance with the Open Public Meetings Act of the State of New Jersey and that adequate notice of same was given in writing to *The Record*, and that notice of same was also posted on the Borough Hall bulletin board as required.

STATEMENT OF ELECTION READ/ADMINISTRATION OF OATH OF OFFICE:

Robert T. Regan, an Attorney in the State of New Jersey administered the Oath of Office to Councilman Pontone. Congratulations were offered.

The Borough Clerk called the Roll Call of the Mayor and Council:

Present: Mayor Schaffer, Councilwoman Bresnak, Councilman Cumiskey, Councilman Mender, Councilman Johnsen, and Councilman Pontone.

Also Present: Robert T. Regan, Esq., Borough Attorney, Marcella Giampiccolo, Borough Clerk, Gregory J. Polyniak, Borough Engineer and Kunjesh Trivedi, CFO/Tax Collector.

Absent: Councilman Hansen.

The Mayor called for a Motion to appoint the Borough Professionals (Resolution No. 2017-1) as follows:

RESOLUTION OF THE BOROUGH OF ROCKLEIGH AUTHORIZING THE AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 19:44A-20.5

WHEREAS, the Borough has a need for professional services from various professionals as set forth below to be provided in accordance with contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough's Chief Financial Officer has determined and certified in writing that the value of the services to be provided by each of the professionals may exceed \$17,500.00 for each professional; and

WHEREAS, the anticipated term of each professional's contract is one year; and

WHEREAS, Robert T. Regan, Esq., Rogut McCarthy LLC, Neglia Engineering Associates, Lerch, Vinci & Higgins and Gregory G. Dietrich have submitted proposals setting forth that each will provide its services at a cost as set forth in each one's proposal previously forwarded to the Clerk of the Borough:

- Robert T. Regan, Esq., as Borough Counsel
- Rogut McCarthy LLC, as Bond Counsel
- Neglia Engineering as Borough Engineer
- Neglia Engineering Associates as Planner on an as-needed basis

Lerch, Vinci & Higgins as Auditor
Gregory G. Dietrich as Historian on an as-needed basis

WHEREAS, each of said professionals has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee or to an elected official in the Borough of Rockleigh in the previous one year, and that each contract will prohibit it from making any reportable contributions through the term of the contract; and

WHEREAS, as set forth in the Certification of Funds from the Borough's Chief Financial Officer, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Rockleigh as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough of Rockleigh hereby authorizes the Mayor to enter into a contract with each of the following professionals as described herein.

Robert T. Regan, Esq., as Borough Counsel
Rogut McCarthy LLC, as Bond Counsel
Neglia Engineering as Borough Engineer
Neglia Engineering Associates as Planner on an as-needed basis
Lerch, Vinci & Higgins as Auditor
Gregory G. Dietrich as Historian on an as-needed basis

3. The Business Disclosure Entity Certification and the Determination of Value for each professional be placed on file with this Resolution.
4. A copy of this Resolution shall be available for public inspection at the offices of the Borough of Rockleigh.
5. This resolution shall take effect immediately.

* * * * *

Following no discussion, a Motion was offered by Councilman Mender, seconded by Councilwoman Bresnak and approved by all Councilmembers by Roll Call vote:

AYES: Bresnak, Mender, Johnsen, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed

Mayor Schaffer opened the floor for nominations for the position of Council President 2017. Councilman Johnsen offered a nomination of Frank Cumiskey. Councilman Pontone seconded that nomination for Councilman Frank Cumiskey as Council President and without further discussion, the floor was closed to nominations for Council President and a Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

Congratulations were offered.

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Mayor Schaffer invited Mr. Malhame to come forward to present to the Governing Body a synopsis of the Borough's Business Insurance Summary 2017-2018 regarding its renewal for insurance. Mr. Malhame's outlined the changes in coverage between 2016 and 2017-2018. The increase in cost is approximately \$1,400.00 more expensive than last year. Some discussion took place regarding the names of the carriers that were solicited for re-insurance last year. Mr. Malhame recommended the Borough purchase business income coverage to cover the rentals at the DPW building for a low cost of approximately \$100.00. It was the consensus of the Councilmembers present to purchase this type of insurance. Discussion took place regarding the current coverage of umbrella coverage and brokerage fees. Following discussion, the following resolutions were presented for approval:

STATEWIDE INSURANCE FUND

RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, BOROUGH OF ROCKLEIGH (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the BOROUGH OF ROCKLEIGH that ROBERT R. SCHAFFER is hereby appointed as the Fund Commissioner for the Local Unit for the year 2017; and

BE IT FURTHER RESOLVED that WILLIAM J. MCGUIRE is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the

year 2017; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

ATTEST:

Name of Entity: BOROUGH OF ROCKLEIGH

Clerk

By: _____
Mayor

* * * * *

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the **Borough of Rockleigh** (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of "Local Unit", in the County of Bergen and State of New Jersey, as follows:

1. **Borough of Rockleigh** hereby appoints **Michael Malhame of MJM Global, Insurance Brokerage Group, Inc.** its local Risk Management Consultant.
2. **Robert R. Schaffer, Mayor of the Borough of Rockleigh** and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2017 in the form attached hereto.

Attest:

Name of Entity: **Borough of Rockleigh**

Robert R. Schaffer, Mayor

**2017 FUND YEAR
STATEWIDE INSURANCE FUND**

RISK MANAGEMENT CONSULTANT'S AGREEMENT

THIS AGREEMENT entered into this 4th day of January 2017, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, BOROUGH OF ROCKLEIGH ("MEMBER") and MJM GLOBAL INSURANCE BROKERAGE GROUP, INC. ("CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S

- insurance budget.
 - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
 - (h) assist in the claims settlement process, if required, by MEMBER or FUND.
 - (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
 - (j) comply with the obligations imposed upon Risk Managers in the FUND'S Bylaws.
 - (k) act in good faith and fair dealing to the FUND.
 - (l) perform other duties for the FUND as may be required from time to time by the FUND.
2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:
- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER'S assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);
 - (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
 - (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND'S assessment in computing the fee set forth in 2(a).
 - (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

3. The term of this Agreement shall be from **January 1, 2017** to **January 1, 2018**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

ATTEST:

Member Representative

ATTEST:

Risk Management Consultant Corporate Officer

ATTEST:

Statewide Insurance Fund Chairperson

Motion offered by Councilman Pontone, seconded by Councilman Mender to approve Resolutions (2017-16, 2017-17 and 2017-18) as presented. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

The Mayor thanked Mr. Malhame for his services. Mr. Malhame stated he would like to attend the budget meeting of the Mayor and Council regarding the Fire Department budget. Mr. Malhame exited the meeting at this time.

The Consent Agenda Resolutions were presented for consideration: Designation of Official Depositories, Interest on Delinquent Taxes, Official Publications, Continuance of Petty Cash Fund and the 2017 Borough Holiday Schedule.

RESOLUTION (2017-2)

Re: DESIGNATION OF OFFICIAL DEPOSITORIES:

The following banking institutions be designated as official depositories for the monies of the Borough of Rockleigh during the year 2017, and that the Mayor, Borough Clerk and Treasurer/CFO be authorized as signatories for the accounts therein, and that the Council President be designated to sign checks in the absence of any one of the above signatories, and further that the signatories for the Borough Payroll Account be designated as the Borough Treasurer/CFO, or in his absence the Borough Clerk:

- The Bank of New Jersey, Harrington Park, New Jersey
- PNC Bank, Northvale to be the depository for the Municipal Court of Rockleigh Fine Account; Municipal Court of Rockleigh Bail Account and the Municipal Court of Rockleigh Park Offense Adjudication Act Account (POAAA)

RESOLUTION (2017-3)

Re: Interest On Delinquent Taxes

- WHEREAS, the Mayor and Council of the Borough of Rockleigh set the rate of interest on delinquent taxes at 8% per annum for the first \$1,500.00 of the delinquency, and 18% per annum on any amount in excess of \$1,500.00.
- BE IT FURTHER RESOLVED, that after the ten day grace period, interest reverts back to the due date at the rate of 8%, on the first \$1,500.00.

RESOLUTION (2017-4)

Re: Official Publication

WHEREAS, *The Record*, whose central operations are located in Woodland Park, New Jersey and serving Bergen County and covering Hudson, Essex and Passaic Counties, be designated as the official newspaper of the Borough to receive all notices of meetings as required under the Open Public Meetings Act of the State of New Jersey, and to publish legal notices of the Borough, and that *The Star Ledger* also be designated to receive all notice of meetings so required by law to publish legal ads when it is deemed expedient.

RESOLUTION (2017-5)

Re: **Continuance of Petty Cash Fund**

WHEREAS, Title 40A of the New Jersey Statutes requires remittance of all petty cash funds be returned to the office of the Treasurer at the end of each year; and

WHEREAS, Title 40A:5-21 established petty cash funds upon approval by the Director of Local Government; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Treasurer be and he is directed and authorized to issue warrants to the following to establish the 2016 Petty Cash Fund:

BOROUGH CLERK – Marcella Giampiccolo **\$250.00**

**RESOLUTION (2017-6)
BOROUGH OF ROCKLEIGH**

2017 HOLIDAYS-BOROUGH HALL CLOSED

<u>HOLIDAY</u>	<u>DAY OBSERVED</u>
New Year’s Day	Monday, January 2, 2017
Martin Luther King Jr. Day	Monday, January 16, 2017
President’s Day	Monday, February 20, 2017
Good Friday	Friday, March 14, 2017
Memorial Day	Monday, May 29, 2017
Independence Day	Tuesday, July 4, 2017
Labor Day	Monday, September 4, 2017
Columbus Day	Monday, October 9, 2017
Veteran’s Day (In observance)	Friday, November 10, 2017
Thanksgiving Day	Thursday, November 23, 2017
Day after Thanksgiving Day	Friday, November 24, 2017
Christmas Day	Monday, December 25, 2017

2017 ANNUAL SCHEDULE OF MEETINGS

BOROUGH OF ROCKLEIGH
BERGEN COUNTY, NEW JERSEY
2017 Annual Schedule of Meetings

WHEREAS, all regular meetings of the Mayor and Council of the Borough of Rockleigh during 2017 shall be held on the first Monday of each month, except as to January, July and September, when the Regular meeting will be held on the first Wednesday in that

month, and that any Council Work Session deemed necessary by the Mayor, be held as jointly scheduled by himself and the Council Members; and,
BE IT FURTHER RESOLVED, that all meetings will be held at the Borough Hall, 26 Rockleigh Road, Rockleigh, NJ at 8:00 p.m., unless other duly stated, and the notice of all the aforesaid meetings be given in writing to the press as required by the Open Public meetings Act of the State of NJ, by sending notice to The Record, the Borough's official newspaper and the Star Ledger.

WEDNESDAY, JANUARY 4, 2017 -Sine Die/Re-organization Meeting
MONDAY, FEBRUARY 6, 2017
MONDAY, MARCH 6, 2017
MONDAY, APRIL 3, 2017
MONDAY, MAY 1, 2017
MONDAY, JUNE 5, 2017
WEDNESDAY, JULY 5, 2017
MONDAY, AUGUST 7, 2017
WEDNESDAY, SEPTEMBER 6, 2017
MONDAY, OCTOBER 2, 2017
MONDAY, NOVEMBER 6, 2017
MONDAY, DECEMBER 4, 2017

* * * * *

A Motion was offered by Councilman Johnsen, seconded by Councilman Pontone and approved by all Councilmembers voting in the affirmative by Roll Call vote as follows:
AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey
NAYS: None
ABSENT: Hansen
ABSTAIN: None
The Motion passed.

Mayor Schaffer called for a Motion as to the appointment of Council Committees, 2017 as follows:

- **Public Works** –
Chair: Councilman MENDER; Members: Johnsen & Cumiskey
- **Building/Historic Liaison** –
Chair: Councilman JOHNSEN, Members: Bresnak & Hansen
- **Public Safety** –
Chair: Councilman JOHNSEN, Members: Pontone & Cumiskey
- **Finance** –
Chair: Councilman PONTONE; Members: Mender & Cumiskey

A Motion was offered by Councilman Cumiskey, seconded by Councilman Pontone and approved without discussion by all Councilmembers present. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

Resolutions 2016-7 regarding the Municipal Court Services as per the Shared Services Agreement with the Borough of Northvale were presented for consideration.

BOROUGH OF ROCKLEIGH RESOLUTION (2017-7)

RE: 2017 Rockleigh Court

WHEREAS, inasmuch as the Borough of Rockleigh will share court services with the Borough of Northvale, as part of the Agreement regarding sharing Northvale's police services, the following court-related appointments be approved, each for a one-year appointment, at compensation provided for by Northvale under the Agreement with Rockleigh:

- Maria T. Doerr Certified Municipal Court Admin.
- Diane Frohlich Deputy Court Admin. & Violations Clerk
- Mark P. Fierro Prosecutor
- Jordan D. Yuelys Public Defender

Without discussion a Motion offered by Councilwoman Bresnak, seconded by Councilman Cumiskey and approved by all Councilmembers present voting by Roll Call vote to adopt resolution 2017-7.

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

Mayor Schaffer called for a Motion regarding the appointment of the Borough Officials for 2017:

RESOLUTION 2017-8

RE: 2017 APPOINTMENT/BOROUGH OFFICIALS:

RESOLUTION to confirm appointment of the following individuals as Borough Officials for the year 2017:

Borough Administrator (annual)	William J. McGuire
Deputy Borough Administrator (annual)	Marcella Giampiccolo
Deputy Borough Clerk (annual)	William J. McGuire
Recycling Coordinator	William J. McGuire
Administrative Assistant	Linda Grove
Municipal Housing Liaison	William J. McGuire
Deputy Registrar (annual)	William J. McGuire
Borough Historian	Douglas Johnsen
Fire Chief, on recommendation by Rockleigh Fire Department (annual)	Michael Malhame
Fire Inspector (annual)	William J. McGuire
Alternate Fire Inspector (annual)	Kenneth Shepard
Zoning Official (annual)	William J. McGuire

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Brief discussion took place regarding the list of Borough Officials. The Borough Clerk advised the Council that the Borough Clerk’s position is currently tenured and does not require an annual renewal. No further discussion took place and a Motion approving Resolution 2017-8 was offered by Councilman Mender, seconded by Councilwoman Bresnak and approved by all Councilmembers present. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey
NAYS: None
ABSENT: Hansen
ABSTAIN: None
The Motion passed.

A Motion was offered by Councilman Cumiskey, seconded by Councilman Mender to approve the appointment of David Hansen as Class III Member to the Rockleigh Planning Board until December 31, 2017 and approved by all Councilmembers by Roll Call vote as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey
NAYS: None
ABSENT: Hansen
ABSTAIN: None
The Motion passed.

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Mayor Schaffer called for a Motion regarding the Appointments to Rockleigh Boards and Commissions.

RESOLUTION 2017-9

Re: Rockleigh Borough Board and Commission Appointments

BE IT RESOLVED the following appointments by the Mayor and ratified by the Council of the following town residents to the following Boards and Commissions:

- Planning Board **Class III Member** from the Borough Council for a one year term to expire on December 31, 2017. (**David Hansen**)
- Board of Health Member (reappointment) to a three year term to expire on December 31, 2019 (**Maria Puccio**)
- Board of Health Member (reappointment) to a three year term to expire on December 31, 2019 (**Maria Formoso**)
- Board of School Estimate Member **Robert R. Schaffer** (reappointment) for a one year term to expire on December 31, 2017.
- Board of School Estimate Member **James Pontone** (reappointment) for a one year term to expire on December 31, 2017.
- Board of School Estimate Member **John Mender** for a one year term to expire on December 31, 2017.
- Rockleigh Sewerage Authority **Member** (reappointment) for a five year term to expire on January 31, 2021 (Nick Photiadis)

A Motion to approve the 2017 Board and Commission members was offered by Councilman Pontone, seconded by Councilman Cumiskey and approved by all Councilmembers voting in the affirmative upon Roll Call vote as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

FINANCIAL REPORT:

The 2017 Temporary Budget was presented and briefly discussed with the Governing Body.

RESOLUTION (2017-10)

TEMPORARY BUDGET/2017:

WHEREAS, it is the requirement of N.J.S. 40A:4-19 for every municipality to adopt temporary appropriations to provide for the period between the beginning of the budget year and the adoption of the 2017 Budget, and

WHEREAS, the Borough of Rockleigh will make expenditures prior to the adoption of the 2017 Budget, applicable to the aforesaid budget:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh that the following shall constitute the 2017 Temporary Budget appropriations:

Acc#	Account Name	Temp Budget 2017
1201-01	Administration SW	\$ 30,000.00
1202-01	Administration OE	\$ 13,000.00
1203-112	Municipal Clerk OE	\$ 1,000.00
1301-01	Financial SW	\$ 7,000.00
1302-01	Financial OE	\$ 2,000.00
1352-01	Financial Audit	\$ 6,500.00
1451-01	Tax Collector SW	\$ 4,500.00
1452-01	Tax Collector OE	\$ 1,500.00
1501-01	Tax Assessment SW	\$ 3,200.00
1502-01	Tax Assessment OE	\$ 6,500.00
1562-01	Legal Services	\$ 18,000.00
1652-01	Engineering Service	\$ 6,000.00
1752-01	Historic Commission	\$ 1,530.00
1802-01	Planning Board OE	\$ 14,000.00
1951-01	Construction SW	\$ 9,500.00
2001-01	Construction OE	\$ 200.00
2001-01	Plumbing Subcode OE	\$ 1,500.00
2011-01	Fire Subcode SW	\$ 2,000.00
2021-01	Zoning Official SW	\$ 1,500.00
2031-01	Electrical Subcode SW	\$ 1,750.00
2102-01	Liability Insurance	\$ 15,000.00
2152-01	Worker's Comp Insurance	\$ 5,100.00
2153-01	Employee Health Insurance	\$ 10,000.00
2252-01	Unemployment Disability	\$ 500.00
2402-01	Police Northvale	\$ 78,000.00
2522-01	Emergency Medical	\$ 200.00
2602-01	Volunteer Ambulance	\$ 6,000.00
2632-01	Fire Hydrant Services	\$ 9,000.00
2651-01	Fire SW	\$ 3,000.00
2662-01	Uniform Safety Act	\$ 4,000.00
2682-01	Fire OE	\$ 4,000.00
2902-01	Streets and Roads OE	\$ 15,000.00
3011-01	Building & Grounds SW	\$ 1,500.00
3012-01	Building & Grounds OE	\$ 10,000.00
3052-01	Garbage Trash Removal	\$ 6,000.00
3301-01	Board of Health SW	\$ 2,000.00
3302-01	Board of Health OE	\$ 2,700.00
3402-01	Dog Regulation	\$ 150.00
3702-01	Parkland Maintenance	\$ 150.00
3902-01	Aid to public library	\$ 300.00
42020-50	Celebration of Public Events	\$ -
4352-01	street lighting	\$5,000.00
4650-20	Recycling Tax	\$ -

4712-020	Pension PERS	\$ 20,578.00
4722-01	Social Security	\$ 8,000.00
4730-00	Reserve for Tax Appeals	\$ -
1200-01	Rockleigh Sewer Clerk	\$ 5,000.00
1300-02	Rockleigh Sewer Finance	\$ 5,000.00
9202-01	debt services	
9302-02	debt services interest	
9402-00	Green Trust Loan	
9012-01	Capital Improvement Fund	\$ 25,000.00
		\$ -
		\$372,358.00

A Motion was offered by Councilman Pontone, seconded by Councilman Johnsen to adopt the 2017 Temporary Budget (Resolution 2017-10). The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

The Mayor asked the Council for a meeting date to discuss the 2017 Municipal Budget. The 2017 Budget needs to be adopted by March and adopted by April. It was the consensus of the Mayor and Council to advertise a Special Meeting for budget discussion on February 8, 2017 at 7:00.

NEW BUSINESS:

The first order of New Business was the Introduction and First Reading of **Bond Ordinance 2017-1** entitled, "Bond Ordinance to Authorize the Improvement of Rockleigh Road (Section 1) In, By and For the Borough of Rockleigh, In the County of Bergen, State of New Jersey, To Appropriate the Sum of \$167,000 to Pay the Cost Thereof, To Authorize the Issuance of Bonds to Finance Such Appropriation and to Provide for the Issuance of Bond Anticipation Notes In Anticipation of the Issuance of Such Bonds.

BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF ROCKLEIGH ROAD (SECTION 1) IN, BY AND FOR THE BOROUGH OF ROCKLEIGH, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$167,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Borough Council of the Borough of Rockleigh, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Rockleigh, in the County of Bergen, State of New Jersey (the "Borough"), is hereby authorized to improve Rockleigh Road (Section 1) in, by and for the Borough. Said improvement shall include road resurfacing, curb and drainage improvements, where necessary, and all work, materials and appurtenances necessary and suitable therefor, and shall be undertaken in accordance with plans and specifications prepared or to be prepared by the Borough Engineer and hereby approved and incorporated herein by this reference thereto. Such plans and specifications are on file or shall be placed on file with the Borough Clerk and made available for public inspection during regular business hours. It is hereby determined and stated that said road being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of \$167,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 of this ordinance (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. It is anticipated that a grant in the amount of \$149,000 from the New Jersey Department of Transportation shall be received by the Borough to finance the cost of the improvement described in Section 1 hereof. Said grant funds shall be applied as set forth in Section 9 hereof. Said improvement shall be made as a

general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the Borough, (2) it is necessary to finance said purpose by the issuance of obligations of the Borough pursuant to the Local Bond Law, (3) the estimated cost of said purpose is \$167,000, (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$167,000, and (5) the cost of said purpose, as hereinbefore stated, includes the aggregate amount of \$18,000, which is estimated to be necessary to finance the cost of said purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. To finance said purpose, bonds of the Borough of an aggregate principal amount not exceeding \$167,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 5. To finance said purpose, bond anticipation notes of the Borough of an aggregate principal amount not exceeding \$167,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and

notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 8. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of the Borough, and that such statement so filed shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$167,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 9. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose shall be applied to the payment of the cost of said purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 10. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 11. The Borough intends to issue bonds or notes to finance the cost of the improvement described in Section 1 of this ordinance. If the Borough incurs such costs prior to the issuance of such bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 12. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

* * * * *

BE IT RESOLVED that the ordinance entitled:

"BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF ROCKLEIGH ROAD (SECTION 1) IN, BY AND FOR THE BOROUGH OF ROCKLEIGH, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$167,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

Heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 6th day of February, 2017, at 8:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

* * * * *

Motion offered by Councilman Johnsen, seconded by Councilman Mender to approve the Introduction and First Reading of Bond Ordinance 2017-1 and Temporary Capital Budget. Prior to the Roll Call, brief discussion took place regarding questions about the type of Bond the Borough is seeking. The CFO stated this Bond is in place in the case where the NJDOT does not come through with the funding for this project, which would allow for the Borough to go out and borrow the money. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

Mr. Regan indicated that this Ordinance will be presented for its Second Reading and Public Hearing at the February 6, 2017 meeting of the Mayor and Council at 8:00 p.m.

Resolution 2017-11 was presented for consideration:

MOTION:

SECOND:

**BOROUGH OF ROCKLEIGH
County of Bergen
State of New Jersey**

RE: RESOLUTION (2017-11) AWARDING A PROFESSIONAL SERVICE AGREEMENT TO NEGLIA ENGINEERING ASSOCIATES FOR PROFESSIONAL ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES FOR ROCKLEIGH ROAD PROJECT

WHEREAS, the Borough of Rockleigh ("Borough") requires professional engineering and construction management services for the Rockleigh Road Project ("Project"); and

WHEREAS, such services include both Design Phase (Phase I) and Construction Management Phase (Phase II) as are more specifically set forth in a proposal from Neglia Engineering Associates ("Engineer") dated August 23, 2016 which details the scope of work and applicable fees.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh as follows:

1. The Borough hereby retains the services of Engineer in accordance with its letter proposal dated August 23, 2016.
2. The contract for services constitutes professional services under *N.J.S.A. 40A:11-5* and may be awarded without public advertising for bids. In addition, this contract is awarded to Engineer based upon the merits and professional abilities and was not awarded through a "fair and open process" pursuant to *N.J.S.A. 19:44A-20.4, et. seq.* and the Professional Service Agreement will include a provision that Engineer has complied with the provisions of *N.J.S.A. 19:44A-8* or *N.J.S.A. 19:44A-16*.

3. The amount of the contract will be billed on a lump sum basis for a cost of \$6,995.00 for the Design Phase (Phase I) and on a time and material basis for the Construction Management Phase (Phase II) at a cost not to exceed \$8,950.00.
4. The Chief Financial Officer has certified that funds are available for such purpose, and are provided for in Improvement Authorization Account No.06-0215-55-017.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh that it does hereby award a contract for the aforesaid work to the Engineer; and

BE IT FURTHER RESOLVED that Mayor Robert R. Schaffer and Borough Clerk Marcella Giampiccolo be and are hereby authorized to execute the aforesaid Agreement for such services.

Dated: January 4, 2017

* * * * *

No discussion took place. Motion offered by Councilwoman Bresnak, seconded by Councilman Mender to approve Resolution 2017-11 as presented. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

Resolution 2017-12 was presented for consideration:

MOTION:

SECOND:

BOROUGH OF ROCKLEIGH
County of Bergen
State of New Jersey

RESOLUTION NO. 2017-12

Re: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE ROCKLEIGH ROAD IMPROVEMENTS – PHASE II PROJECT.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Rockleigh formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017- Rockleigh Road Improvements – Phase II - 00084 to the New Jersey Department of Transportation on behalf of the Borough of Rockleigh.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Rockleigh and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Dated: January 4, 2017

* * * * *

Motion offered by Councilman Pontone, seconded by Councilman Johnsen to approve Resolution 2017-12 as presented. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

Resolution 2017-13 was presented for consideration:

MOTION:

SECOND:

BOROUGH OF ROCKLEIGH
County of Bergen
State of New Jersey

Re: RESOLUTION (2017-13) RE-APPOINTING KUNJESH TRIVEDI AS CHIEF FINANCIAL OFFICER.

WHEREAS, *N.J.S.A. 40A:9-140.10* (hereinafter "the statute") requires that every municipality provide for the appointment a Chief Financial Officer; and

WHEREAS, by resolution dated February 4, 2013 Kunjesh Trivedi was appointed as Chief Financial Officer of the Borough of Rockleigh effective April 1, 2013 for a four (4) year term to run from January 1, 2013 in accordance with the provisions of the statute; and

WHEREAS, the term of Kunjesh Trivedi expires on December 31, 2016.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh that Kunjesh Trivedi be and is hereby re-appointed as Chief Financial Officer for the Borough of Rockleigh with the effective date of said re-appointment being January 1, 2017; and

BE IT FURTHER RESOLVED that the said appointee shall be paid such salary as is set forth in the Borough's Salary Ordinance.

Dated: January 4, 2017

* * * * *

Motion offered by Councilman Pontone, seconded by Councilman Mender to approve Resolution 2017-13. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

Resolution 2017-14 was presented for consideration:

RESOLUTION (2017-14) – APPOINTMENT OF PUBLIC AGENCY COMPLIANCE OFFICER –AFFIRMATIVE ACTION

WHEREAS, N.J.A.C. 17:27-1.1 provides that no public work contracts can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

WHEREAS, N.J.A.C. 17:27-3.5 provides that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh, County of Bergen, State of New Jersey that Marcella Giampiccolo, Borough Clerk, be appointed as the Public Agency Compliance Officer for a one-year term ending December 31, 2017.

* * * * *

Motion offered by Councilman Mender, seconded by Councilman Pontone to approve resolution 2017-14. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

Resolution 2017-15 regarding the Interboro Mutual Aid Group Agreement was presented. No discussion took place.

RESOLUTION (2017-15)

Re: **INTERBORO MUTUAL AID GROUP AGREEMENT**

WHEREAS, it is the intent of the undersigned municipalities, its fire departments and respective fire companies to enter into a mutual aid and assistance program pursuant to and required by law as set forth in NJAC 5:75A-2.2, and

WHEREAS, this agreement is intended to supersede any earlier agreements which may have been signed between the parties hereto, and

WHEREAS, this agreement shall be by and between the following boroughs, towns, municipalities, fire departments and fire companies and the parties agree to be bound thereby,

Alpine	Dumont	Norwood
Bergenfield	Harrington Park	Old Tappan
Closter	Haworth	Rockleigh
Cresskill	New Milford	Tenafly
Demarest	Northvale	

WHEREAS, it is necessary to have an agreement to define the obligations and duties of the parties of the Interboro Mutual Aid Group;

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties covenant and agree as follows:

- (1) Call for assistance: All calls for assistance among the Mutual Aid members shall be made through the dispatch facility of the department or municipality requiring assistance to the dispatch facility for the town from which assistance is requested. The request for assistance shall come from the Fire

Chief or other ranking officer in charge of the fire or emergency incident. The town(s) requesting the assistance shall give the following information: location of the fire or emergency incident, route to be taken, and type of equipment requested. Towns requesting assistance shall have a police radio car on the town boundary line to meet the apparatus and escort them to the location of the fire or emergency incident if needed.

- (2) The Fire Chief, Deputy Fire Chief, Assistant Fire Chief or ranking officer in charge of the fire department that called for assistance shall be in charge of the fire or emergency incident in accordance with NJAC 5:75 et. seq.. Apparatus reporting in from other towns shall report to the Staging Officer or other appropriate Commander at the scene prior to placing apparatus and personnel to work.
- (3) There shall be no charge imposed against any member municipality or department receiving personnel, apparatus or equipment.
- (4) Cost recovery may only be imposed where permitted by the New Jersey Uniform Fire Code; federal, state and local laws allowing for cost recovery involving hazardous material incidents; or cost recovery that is considered recoverable under law from responsible parties.
- (5) Each of the undersigned municipalities agrees to assume the cost of loss or damage to its own equipment.
- (6) It is understood and agreed that in the event of the failure of any of the departments to respond to the call for assistance, the department and municipality failing to respond shall in no way be liable.
- (7) It is understood that the Agreement will take effect and be operative by all municipalities and departments that sign same until such time as any municipality or department provides notice of their intent to withdraw from the mutual aid group. A 30-day written notice shall be given by any party to this Agreement of their intention to withdraw from this Agreement. The agreement shall remain in full force thereafter as regards the remaining signators.

* * * * *

Motion offered by Councilman Johnsen, seconded by Councilman Pontone to approve Resolution 2017-15. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

Motion to open the meeting to the public was offered by Councilman Cumiskey, seconded by Councilman Pontone. All Councilmembers present voted in the affirmative. The Motion passed. No members of the public came forward. Motion to close the meeting to the public was offered by Councilman Pontone, seconded by Councilman Cumiskey to close the meeting. All Councilmembers voted in the affirmative. The Motion passed.

COMMITTEE REPORTS: None.

BOROUGH ATTORNEY REPORT: None.

CORRESPONDENCE:

The Mayor summarized his discussions with a representative from Verizon regarding their seeking permission for deploying small network nodes in the public right of way in Rockleigh. Discussion took place regarding permits. It was the consensus of the Council to invite Verizon to address this matter before the Governing Body at their February 6, 2017 meeting.

CLOSED SESSION: None.

ADJOURNMENT:

With no further business to come before the Governing Body a Motion was offered to adjourn the Re-Organization meeting by Councilman Cumiskey, seconded by Councilman Mender and approved by all Councilmembers voting in the affirmative to adjourn the Re-Organization meeting of this date. The Motion passed.

Respectfully submitted,



Marcella Giampiccolo, RMC
Borough Clerk