

**MINUTES OF THE REGULAR MEETING OF THE MAYOR &
COUNCIL OF THE BOROUGH OF ROCKLEIGH, HELD ON JUNE 5, 2017 AT
BOROUGH HALL, 26 ROCKLEIGH RD., ROCKLEIGH NJ AT 8 PM**

Mayor Robert Schaffer called the meeting to order at 8:04 p.m. 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*, *The Star Ledger*, and that notice of same was also posted on the Borough Hall bulletin board as required.

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

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

Also Present: Robert T. Regan, Esq., Borough Attorney; Marcella Giampiccolo, Borough Clerk, William J. McGuire, Administrator, and Kunjesh Trivedi, CFO

Absent: Councilman Hansen

MINUTE APPROVAL:

Minutes from the May 1, 2017 Regular Meeting and Closed Session Meeting were presented for approval. No discussion took place. A Motion was offered by Councilman Pontone, seconded by Councilman Johnsen to accept the May 1, 2017 Regular Meeting and Closed Session Meeting Minutes as presented. All Councilmembers present voted in the affirmative to accept the Minutes as presented. The Motion passed.

Minutes from the May 18, 2017 Special Meeting and Special Closed Session Meeting were presented for approval. No discussion took place. A Motion was offered by Councilman Mender, seconded by Councilman Johnsen to accept the May 18, 2017 Special Meeting and Special Closed Session Meeting Minutes as presented. All Councilmembers present voted in the affirmative, except Councilman Pontone and Councilman Cumiskey, who abstained from the vote, to accept the Minutes as presented. The Motion passed.

COMMITTEE REPORTS:

Councilman Johnsen inquired about the status of the new "no littering" signs. Mr. McGuire stated he was headed to Mahwah this week to pick up the signs. Councilwoman Bresnak followed-up on a discussion from the last meeting regarding new turf materials for public playgrounds. Councilwoman Bresnak spoke with the Borough of Old Tappan, where this new playground material is currently being utilized, to obtain additional information. Councilwoman Bresnak contacted this vendor who forwarded a package of information and samples to Rockleigh for review and information. Brief discussion took place regarding the monies available for use from old grants to purchase materials for the Borough playground. The CFO will confirm which grants have funds for use. Councilman Johnsen asked the Borough Administrator contact the DPW to cut the grass back on Borough right-of-ways. No other reports were submitted.

OLD BUSINESS:

The Mayor announced the Second Reading, Public Hearing and Adoption of Ordinance 2017-3 entitled, "An Ordinance to Amend and Ordinance Entitled "An Ordinance to Fix the Salary, Wage or Compensation of Persons Holding Office, Position or Employment in the Borough of Rockleigh, County of Bergen, State of New Jersey".

**BOROUGH OF ROCKLEIGH
ORDINANCE NO. 2017-3**

NOTICE IS HEREBY GIVEN that the following proposed Ordinance was introduced and passed on first reading on May 1, 2017 at a meeting of the Mayor and Council of the Borough of Rockleigh, County of Bergen, State of New Jersey, and that said Ordinance will be taken up for further consideration for final passage at a meeting of the Mayor and Council to be held on June 5, 2017 at 8:00 p.m. or as soon thereafter as the matter can be reached, at which time and place all interested persons will be given the opportunity to be heard concerning same.

Marcella Giampiccolo,
Borough Clerk

**AMENDMENT TO THE SALARY ORDINANCE
ORDINANCE NO. 2017-3**

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX THE SALARY, WAGE OR COMPENSATION OF PERSONS HOLDING OFFICE, POSITION OR EMPLOYMENT IN THE BOROUGH OF ROCKLEIGH, COUNTY OF BERGEN, STATE OF NEW JERSEY"

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

1) SECTION 1: That Section 1 of the Ordinance entitled "AN ORDINANCE TO FIX THE SALARY, WAGE OR COMPENSATION OF PRESONS HOLDING OFFICE POSITION OR EMPLOYMENT IN THE BOROUGH OF ROCKLEIGH, COUNTY OF BERGEN, STATE OF NEW JERSEY be amended and supplemented as follows:

A) The annual wage or rate of compensation to be paid to the following officers or persons holding office or employment with the Borough of Rockleigh is hereby fixed and determined to be as follows for the year 2017:

Administrator/ Dpty. Clerk	\$43,794.44
Dpty. Registrar	\$ 1,991.90
Administrator, Sewer Authority	\$ 6,957.99
Fire Prevention Official	\$ 8,376.88
Fire Inspector	\$ 9,645.69

Zoning Officer	\$ 3,765.50
Cons.Code;Bldg.Insp.;Bldg.Secy.	\$31,174.55
Fire Sub-Code Official	\$ 5,593.68
Bldg. & Grounds Coordinator	\$ 4,897.88
Recycling Coordinator	\$ 1,583.63
Municipal Housing Liaison	\$ 2 500.00
Borough Clerk	\$ 28,063.91
Registrar	\$ 3,315.28
Secretary, Sewer Authority	\$ 3,765.50
Liaison, Orangetown	\$ 3,670.00
Accounts Clerk, Sewer Authority	\$ 4,283.94
Deputy Administrator	\$ 2,705.36
Chief Finance Officer/Treasurer	\$ 17,062.07
Tax Collector	\$ 9,929.53
Finance Officer, Sewer Authority	\$ 8,394.45
QPA	\$ 4,120.00
Administrative Assistant	\$ 15,000.00
Plumbing Sub-Code Inspector	\$ 3,497.19
Electrical Sub-Code Inspector	\$ 5,410.72
Tax Assessor	\$ 10,432.44
Alternate Fire Inspector	\$ 541.07
Temporary Office Assistance	\$ 9.50-\$15.00 per hour
Professional Consulting	\$25.00-\$100.00 per hour

Rockleigh Volunteer Fire Department

Clothing Allowance for Rockleigh

Volunteer Fire Department \$0.00-\$1,000.00

*Based upon a point system as designated by the Rockleigh Fire Dept. Chief.

This Ordinance will take effect immediately upon passage as required by law.

ROBERT R. SCHAFFER, Mayor

MARCELLA GIAMPICCOLO, Borough Clerk

Introduced: May 1, 2017

Adopted:

Approved:

No discussion took place. A Motion was offered by Councilman Cumiskey, seconded by Councilman Mender to open the meeting to the public as to Ordinance 2017-3. All Councilmembers present voted in the affirmative to open the meeting to the public as to Ordinance 2017-3 only. The Motion passed. No public came forward. Motion offered by Councilman Pontone, seconded by Councilwoman Bresnak to close the meeting to the public as to Ordinance 2017-3. All Councilmembers present voted in the affirmative to close the meeting to the public as to Ordinance 2017-3. The Motion passed. Motion offered by Councilman Cumiskey, seconded by Councilman Pontone

to approve the Second Reading and Adoption of Ordinance 2017-3 as presented. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSTAIN: None

ABSENT: Hansen

The Motion passed

Resolution 2017-37 was presented for consideration.

**BOROUGH OF ROCKLEIGH
COUNTY OF BERGEN
STATE OF NEW JERSEY**

RESOLUTION 2017-37

AWARD OF CONTRACT

Be it resolved by the Mayor and Council of the Borough of Rockleigh, Bergen County, New Jersey upon the recommendation of Neglia Engineering Associates that the Contract for:

**ROCKLEIGH ROAD BRIDGE
BOROUGH OF ROCKLEIGH, BERGEN COUNTY, NEW JERSERY**

be awarded to Conquest Construction Corp., 20 Carver Avenue, Westwood, New Jersey 07675 for the quote amount of Twenty-Eight Thousand Three Hundred Fifty Dollars and Zero Cents (\$28,350.00) which represent the lowest quote submitted of the three quotes per the May 09, 2017 solicitation for this project. This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available in line item number 01-2010-44-9022-03.

Dated: _____ Certified: _____
Treasurer

Dated: _____ Approved: _____
Mayor

CERTIFICATION

I, Marcella Giampiccolo, RMC, Clerk of the Borough of Rockleigh, Bergen County, New Jersey do hereby certify that the foregoing Resolution was adopted by the Mayor and Council at a regular meeting held _____.

Dated: _____
Clerk

Motion offered by Councilman Pontone, seconded by Councilman Mender to approve Resolution 2017-37 as presented. Councilwoman Bresnak requested that the approved vendor provide all the necessary bid documents and insurance required documents in advance of the project. The Roll Call vote was recorded as follows:
AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey
NAYS: None
ABSENT: Hansen
ABSTAIN: None
The Motion passed

NEW BUSINESS:

Resolution 2017-35 was presented for consideration.

MOTION:

SECOND:

RESOLUTION 2017-35

RE: LIQUOR LICENSE RENEWAL

BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh that application for renewal of Plenary Retail Consumption Liquor License for the year 2017-2018 by the **Rockleigh Country Club, LLC**, 26 Paris Avenue, Rockleigh, New Jersey be approved, and that the Borough Clerk be hereby authorized and directed to issue and execute the same accordingly, subject to a filing receipt issued from the Division of Alcoholic Beverage Control Commission, on receipt of a check from the

applicant to cover the cost of filing with reference to their license number 0255-33-001-003.

Motion offered by Councilwoman Bresnak, seconded by Councilman Johnsen to authorize resolution 2017-35; liquor license renewal for the Rockleigh Country Club, LLC. No discussion followed. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

Resolution 2017-36 was presented for consideration.

MOTION:

SECOND:

**BOROUGH OF ROCKLEIGH
COUNTY OF BERGEN
STATE OF NEW JERSEY**

RESOLUTION 2017-36

RE: RESOLUTION URGING THE LEGISLATURE TO REDUCE LOCAL AFFORDABLE HOUSING BURDENS AND PROVIDE DEFINED RULES AND RELIEF IN PROVIDING THEREOF

WHEREAS, municipalities do not have the resources to provide court mandated housing to comply with the Mount Laurel doctrine without proper funding; and

WHEREAS, lawsuits increase housing four-fold through court mandates and without an affirmative defense municipalities can do nothing to stop growth and sprawl, costing millions of dollars outside of local budgets; and

WHEREAS, property taxes must be raised exponentially to pay the costs associated with court mandates and, therefore, population, further overburdening taxpayers; and

WHEREAS, the cumulative impact of years of unfunded court mandates has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, expected state population growth of .3 percent does not provide sufficient demand to justify court-mandated 30 percent housing supply increase; further congesting our state; and

WHEREAS, New Jersey is already the most densely populated state in the country with 1,195 persons per square mile; and

WHEREAS, the quality of life and public welfare in this municipality will be reduced, negatively impacting infrastructure, water and sewer capacities; school class sizes and school services; municipal services such as volunteer and staffed ambulatory services and fire departments, police departments, public transportation and traffic; and

WHEREAS, the lack of affordable housing and rentals is not due to a lack of units, rather it stems from residents paying property taxes that are unaffordable and increasing by roughly \$700 million annually; and

WHEREAS, the state of New Jersey should relieve the burden of unfunded court mandates and provide statewide parity and predictability in regard to municipal affordable housing obligations; and

WHEREAS, the Assembly is urged to pass Assembly Bill No. 4666 imposing an end-of-year moratorium on all affordable housing litigation; and Assembly Bill No. 4667 establishing the "Affordable Housing Obligation Study Commission" to assist in finding solutions to the affordable housing crisis foisted upon municipalities by the end of the year; and

WHEREAS, it is the responsibility of the state and the legislature to assist municipalities; and

WHEREAS, the time has come to reasonably address affordable housing needs in New Jersey to preserve the integrity of the state and its quality of life; now therefore be it

RESOLVED, that the Borough of Rockleigh urges the state and the legislature to aid municipalities over-burdened by court-mandated affordable housing; and be it further

RESOLVED, that we enthusiastically must reach a solution to affordable housing in New Jersey; and be it finally

RESOLVED, that certified copies of this Resolution be forwarded to Governor Chris Christie, Lieutenant Governor Kim Guadagno, Department of Community Affairs Commissioner Charles A. Richman, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Vincent Prieto, New Jersey Assembly Republican Leader Jon Bramnick, our State Senator, Loretta Weinberg, our Assembly, Assemblyman Gordon M. Johnson and Assemblywoman Valerie Vainieri-Huttle and, and to the New Jersey League of Municipalities.

Dated: June 6, 2017

Motion offered by Councilman Cumiskey, seconded by Councilman Johnsen to approve Resolution 2017-36. No discussion took place. The Roll Call vote was recorded as follows:

AYES: Bresnak, Johnsen, Mender, Pontone, Cumiskey

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed

Resolutions 2017-38 and 2017-39 were presented for consideration together. Brief discussion took place requested the continuity of the program as in past years. No other discussion took place.

MOTION:

SECOND:

RESOLUTION 2017-38

Re: A RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 12, 2017, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Municipality of the Borough of Rockleigh and its residents to participate in said Programs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Municipality of Borough of Rockleigh hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, 2020 (July 1, 2018 – June 30, 2021); and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 12, 2017

MOTION:

SECOND:

RESOLUTION 2017-39

Re: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERSEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2000 AND AMENDMENTS THERETO ESTABLISHING THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

WHEREAS, an Agreement has been proposed under which the Municipality of the Borough of Rockleigh and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, it is in the best interest of the Municipality of the Borough of Rockleigh to enter into such an Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Municipality of the Borough of Rockleigh that the Agreement entitled "Three Year Cooperative Agreement" (an Agreement superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program, the Home Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, and 2020 (July 1, 2018 – June 30, 2021) be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately in accordance with law.

A Motion was offered by Councilman Mender, seconded by Councilman Johnsen to approve resolutions 2017-38 and 2017-39 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

Court Fines and Police Report were briefly commented on.

FINANCIAL BUSINESS/PAYMENT OF CLAIMS:

The Bill List dated June 5, 2017 was presented for approval. Brief discussion took place regarding entries on the Bill List. A Motion was offered by Councilwoman Bresnak, seconded by Councilman Johnsen, to approve the Bill List dated June 5, 2017, noting the total claims and accounts amounting to \$155,847.65 is paid and that checks be issued therefore, in accordance with established procedure, upon confirmation from the Borough Treasurer/CFO that sufficient monies are available to pay said obligations. No further discussion took place. 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 Pontone, seconded by Councilman Cumiskey. All Councilmembers present voted in the affirmative to open the meeting to the public. The Motion passed. No public came forward. Motion to close the meeting to the public was offered by Councilman Cumiskey, seconded by Councilman Pontone. All Councilmembers present voted in the affirmative to close the meeting to the public. The Motion passed.

ATTORNEY REPORT: None.

Mr. Regan stated it would be necessary to enter into Closed Session to discuss litigation, Rockleigh Equestrian Centre. The following resolution was read into the record:

MOTION:

SECOND:

RESOLUTION TO ENTER INTO CLOSED SESSION

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

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

WHEREAS, the Governing Body wishes to discuss items relating to litigation, Rockleigh Equestrian Centre.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that at **8:22p.m.** on **MONDAY, JUNE 5, 2017** the Governing Body determined to exclude members of the public to discuss the aforesaid items; and

BE IT FURTHER RESOLVED that the proceedings relative to the Closed Session may be made public as such time as the Governing Body determines the Borough's interests may not be adversely affected.

Motion offered by Councilman Pontone, seconded by Councilman Cumiskey to enter into Closed Session. All of the Councilmembers present voted in the affirmative to enter into Closed Session to discuss litigation, Rockleigh Equestrian Centre. The Motion passed.

CORRESPONDENCE:

Upon returning to Regular Session, the Mayor briefly reviewed the correspondence listed on the agenda. The Mayor commented that the State has tentatively granted money towards the next phase (part 2) of the Rockleigh Road Improvement project. In addition, brief discussion took place regarding the storm drain cleaning responsibilities on the part of the Corporate Park businesses as well as the Borough owned catch basin responsibilities. The Mayor suggested that whomever the Borough hires to inspect the Borough owned catch basins should be different from the person who is cleaning them, as needed. The Councilmembers agreed. Discussion continued as to the need for basins to be cleaned on Rose Haven Lane. Mr. McGuire reported there is a map illustrating all of the catch basins in town that was prepared by Neglia Engineering Associates recently. At the conclusion of that discussion it was the Councils' suggestion that a portion NJDOT monies awarded for part two (2) of the Rockleigh Road Improvement project be used to repair the remaining catch basins as done is part one (1) on Rockleigh Road.

No further business came before the Governing Body. A Motion was offered by Councilman Pontone seconded by Councilwoman Bresnak to adjourn the meeting. All Councilmembers present voted in the affirmative and the meeting was adjourned. The Motion passed.

Respectfully submitted,


Marcella Giampiccolo, RMC
Borough Clerk