

**MINUTES OF THE REGULAR MEETING OF THE MAYOR & COUNCIL OF THE
BOROUGH OF ROCKLEIGH, HELD ON SEPTEMBER 4, 2024 AT 26 ROCKLEIGH
ROAD, ROCKLEIGH, NJ AT 7:00 PM**

Mayor James Pontone called the meeting to order at 7:04 pm.

OPENING STATEMENT: Mayor Pontone 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 and Website as required.

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

Present: Councilman Cumiskey, Councilman Hansen, Councilwoman Bresnak, Councilwoman Antine, and Councilwoman Altman.

Also Present: Marcella Giampiccolo, Borough Clerk.

Absent: Councilman Mender; William J. McGuire, Borough Administrator, Robert T. Regan, Borough Attorney; and Kunjesh Trivedi, CFO.

MINUTE APPROVAL:

Minutes of the Regular meeting held August 5, 2024 were presented. Motion offered by Councilwoman Altman, seconded by Councilwoman Antine to approve the Regular meeting minutes of August 5, 2024 as presented. All Councilmembers present, except Councilman Hansen who abstained from the vote, voted in the affirmative. The Motion passed.

Minutes of the Closed Session meeting held August 5, 2024 were presented. Motion offered by Councilwoman Altman, seconded by Councilwoman Bresnak to approve the Closed Session minutes of August 5, 2024 as presented. All Councilmembers present, except Councilman Hansen, who abstained from the vote, voted in the affirmative. The Motion passed.

COMMITTEE REPORTS:

Councilwoman Bresnak provided an extensive report on her findings regarding the use of Medicaid beds for the upcoming round of Affordable Housing. Brief discussion took place the Mayor Pontone stated this information would be provided to Special Counsel. Discussion ended.

At this time Mayor Pontone asked for a motion to open the meeting to the public. Motion offered by Councilman Cumiskey, seconded by Councilwoman Bresnak to open the meeting to the public. All Councilmembers present voted in the affirmative. The Motion passed.

Carol Elliot of the Jewish Home at Rockleigh came forward to inquire about the status of the recently vacated (demolition) County property in Rockleigh, along Piermont Road. Ms. Elliot stated she has inquired several times directly to the County Executive about the future use of that property and asked if the Governing Body had heard any definitive news of the development of that property. Mayor Pontone commented he also made inquiries to the County Executive's office and has not heard anything concrete as of now. Ms. Elliot then commented on the State requirements of

the Jewish Home regarding their percentages of Medicaid beds. The percentage mandated is 45% of their total bed capacity. No further comments were made. Ms. Elliot was thanked for her time and exited the meeting. Motion offered by Councilman Cumiskey, seconded by Councilwoman Bresnak to close the meeting to the public. All Councilmembers present voted in the affirmative. The Motion passed.

Committee Reports continued. Councilman Cumiskey briefly reviewed his emails between himself and Mayor Ghassali of Montvale, since the last Mayor & Council meeting on the topic of new round of Affordable Housing. Brief discussion took place and the Council decided to continue to table this issue until further information is presented by the Affordable Council in October. Committee Report ended.

OLD BUSINESS: None.

NEW BUSINESS:

Ordinance 2024-6 was presented for its First Reading and Introduction as follows:

BOROUGH OF ROCKLEIGH

ORDINANCE NO. 2024-6

AN ORDINANCE TO AMEND CHAPTER XXXIV OF THE CODE OF THE BOROUGH OF ROCKLEIGH ENTITLED, "ZONING".

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

SECTION 1.

Chapter XXXIV of the Code of the Borough of Rockleigh, Zoning, Article IV, General Regulations, §34-23, A Zone Regulations, be and is hereby amended as follows:

The title to Section 34-23.6 be and hereby is amended to be as follows: "Impervious Surface and Driveways".

SECTION 2.

Chapter XXXIV of the Code of the Borough of Rockleigh, Zoning, Article IV, General Regulations, §34-23, A Zone Regulations, be and is hereby amended to add the following new section:

34-23.6.1 "Only one vehicle access for combined ingress and egress shall be located on each building lot. There shall be no common driveway shared by adjacent building lots."

SECTION 3. Severability.

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy in which such judgment was rendered.

SECTION 4. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION 5. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

JAMES G. PONTONE, Mayor

**MARCELLA GIAMPICCOLO,
Borough Clerk**

Introduced: September 4, 2024

Adopted:

Approved:

Motion offered by Councilwoman Altman, seconded by Councilman Hansen to approve the First Reading and Introduction of Ordinance 2024-6 as presented. Some comments were offered relating to circular driveways historically located in town. No other discussion took place. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Hansen, Bresnak, Antine, Altman

NAYS: None

ABSENT: Mender

ABSTAIN: None

The Motion passed.

Resolution 2024-62 was presented for consideration as follows:

MOTION:

SECOND:

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

#2024-62

**Re: RESOLUTION AWARDING A PROFESSIONAL SERVICE AGREEMENT TO
NEGLIA ENGINEERING ASSOCIATES ("ENGINEER") FOR PROFESSIONAL**

ENGINEERING SERVICES RELATING TO SURVEYING AND GIS SERVICES FOR THE PREPARATION OF MS4 INFRASTRUCTURE MAP

WHEREAS, the Borough of Rockleigh (“Borough”) requires professional engineering services relating to surveying and GIS services for the preparation of MS4 Infrastructure Map; and

WHEREAS, the Borough is required to undertake this work in order to comply with the latest NJDEP’s MS4 regulations.

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 May 8, 2023.
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 Services 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 as follows:

NJDEP MS4 Requirement Portion

- A. Field Locating Stormwater Infrastructure With Elevations and Below Grade Measurements
On a lump sum basis for a cost of Twenty-Nine Thousand Seven Hundred Sixty Dollars and Zero Cents (\$29,760.00) representing Professional Services for surveying and GIS, including field and office tasks, related to locating and mapping the Borough’s MS4 Stormwater Infrastructure as specified herein. This includes collecting at-grade and below-grade elevation and conveyance data.

GIS Services for 2024 SPPP Data Recording and Reporting

- B. ALTERNATE ITEM – GIS Inspection Tools for 2024 SPPP Reporting
On a lump sum basis for a cost of Seven Thousand Two Hundred Dollars and Zero Cents (\$7,200.00) representing Professional Services for GIS, including office tasks and training related to the

required tracking and reporting of MSF Inspection Information to NJDEP for annual Stormwater Pollution Prevention Plan (SPPP) submission.

4. The total amount of the Contract based on the above is Thirty-Six Thousand Nine Hundred Sixty Dollars and Zero Cents (\$36,960.00).

5. The Chief Financial Officer has certified that funds are available for such purpose, and are provided for Stormwater Management 2024, Account No. 01-2130-00-0000-007.

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 James Pontone and Borough Clerk Marcella Giampiccolo be and are hereby authorized to execute the aforesaid Agreement for such services; and

BE IT FURTHER RESOLVED that a notice of the award of the Contract shall be published once in the Official newspaper of the Borough as required pursuant to *N.J.S.A 40A:11-5(1)(a)(i)*.

Dated: September 4, 2024

Councilmember	Motion	Second	Yes	No	Absent	Abstain
Cumiskey						
Mender						
Hansen						
Bresnak						
Antine						
Altman						

I hereby certify that this is a true copy of the Resolution passed by the Governing Body at its meeting held on September 4, 2024.

**MARCELLA GIAMPICCOLO,
Borough Clerk**

Motion offered by Councilman Hansen, seconded by Councilwoman Antine to approve Resolution 2024-62 as presented. No discussion took place. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Hansen, Bresnak, Antine, Altman

NAYS: None

ABSENT: Mender

ABSTAIN: None

The Motion passed.

Resolution 2024-63 was presented for consideration as follows:

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

#2024-63

Re: RESOLUTION AWARDING A CONTRACT TO JOHNSON DESIGN FOR THE REDESIGN OF THE WEBSITE OF THE BOROUGH OF ROCKLEIGH

WHEREAS, the Borough of Rockleigh requires the redesign of its website in connection with necessary updating and to comply with changes to the Open Public Records Act ("OPRA") which take effect in September of 2024; and

WHEREAS, the Borough is in receipt of a proposal from Johnson Design dated August 8, 2024 for such services in the amount of \$5,500.00, together with a monthly maintenance fee of \$255.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh that it does hereby accept the proposal of Johnson Design and awards a Contract in accordance with the proposal of August 8, 2024; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for such purpose and are provided for AE/OE, Account No. 01-2010-20-1202-01.

BE IT FURTHER RESOLVED that Mayor James Pontone and Borough Clerk Marcella Giampiccolo be and are hereby authorized to execute the aforesaid Agreement for such services; and

Dated: September 4, 2024

Councilmember	Motion	Second	Yes	No	Absent	Abstain
Cumiskey						
Mender						
Hansen						
Bresnak						
Antine						
Altman						

I hereby certify that this is a true copy of the Resolution passed by the Governing Body at its meeting held on September 4, 2024.

MARCELLA GIAMPICCOLO,
Borough Clerk

Motion offered by Councilman Hansen, seconded by Councilwoman Altman to approve Resolution 2024-63 as presented. The Borough Clerk commented briefly as to some of the upgrades that are needed for the website, including the ability to be “searchable” within the website. No other discussion took place. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Hansen, Bresnak, Antine, Altman

NAYS: None

ABSENT: Mender

ABSTAIN: None

The Motion passed.

Resolution 2024-64 was presented for consideration as follows:

MOTION:

SECOND:

BOROUGH OF ROCKLEIGH
County of Bergen
State of New Jersey

#2024-64

Re: RESOLUTION AUTHORIZING THE RECEIPT OF SEALED PROPOSALS FOR THE LEASE OF BOROUGH PROPERTY KNOWN AS BLOCK 102, LOT 4, 33 PIERMONT ROAD.

WHEREAS, N.J.S.A. 40A:12-14 permits a municipality to lease any real property not needed for public use; and

WHEREAS, the Borough is the owner of Block 102, Lot 4 as depicted on the tax map, being more commonly known as 33 Piermont Road (“the property”); and

WHEREAS, the property is currently vacant and is not needed for public use.

NOW THEREFORE BE IT RESOLVED that in accordance with the provisions of the aforesaid statute, the Mayor and Council authorize that public notice and advertisements be prepared for the lease of the property in accordance with the bidding process set forth in the aforesaid statute.

Councilmember	Motion	Second	Yes	No	Absent	Abstain
Cumiskey						
Mender						
Hansen						
Bresnak						
Antine						
Altman						

I hereby certify that this is a true copy of the Resolution passed by the Governing Body at their meeting held on September 4, 2024.

MARCELLA GIAMPICCOLO, RMC
Borough Clerk

Brief discussion took place as to the lease provisions and eviction of tenants. The Borough Clerk stated she would confirm with the Borough Attorney and report back to the Councilmembers prior to advertisement. No other discussion took place. Motion offered by Councilman Cumiskey, seconded by Councilwoman Antine to approve Resolution 2024-64. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Hansen, Bresnak, Antine, Altman

NAYS: None

ABSENT: Mender

ABSTAIN: None

The Motion passed.

Police Report and Municipal Court Fines were both acknowledged. No discussion took place.

FINANCIAL BUSINESS:

Resolution 2024-65 was next presented for consideration as follows:

MOTION:

SECOND:

BOROUGH OF ROCKLEIGH

COUNTY OF BERGEN

STATE OF NEW JERSEY

#2024-65

RESOLUTION AUTHORIZING PURCHASE CONTRACTS WITH CERTAIN APPROVED BERGEN COUNTY COOPERATIVE COUNCIL CONTRACT VENDORS PURSUANT TO N.J.S.A.40A:11-10

WHEREAS, the Borough of Rockleigh is a party to a cooperative purchasing agreement with the Bergen County Cooperative Pricing Council a cooperative purchasing program organized pursuant to N.J.S.A. 40a:11-10 and N.J.A.C. 5:34-7.11; and

WHEREAS, the Local Police Contracts Law authorizes a municipality to purchase goods and services through duly-formed cooperative purchasing system without advertising for bids; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-to-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Borough of Rockleigh has a need to purchase, on a timely basis, goods or services utilizing Bergen County Cooperative Pricing Council contracts during 2023-2024; and

WHEREAS, the Borough of Rockleigh plans to utilize the Bergen County Cooperative Pricing Council Contract Vendors listed on the attachment, such transaction shall be subject to all conditions applicable to the current Bergen County Cooperative Pricing Council contracts; now, therefore

BE IT RESOLVED, by the Mayor and Council of the Borough of Rockleigh, in the County of Bergen, that the Qualified Purchasing Agent is hereby authorized to purchase goods or services in 2023-2024 from the approved Bergen County Cooperative Pricing Council Contract Vendors on the attached list, pursuant to all conditions of the individual contracts; and

BE IT FURTHER RESOLVED that, pursuant to N.J.A.C. 5:30-5.5(b), prior to placing any order for goods or services in accordance with this Resolution, a certification of available funds shall be executed by the Chief Financial Officer and attached to the file copy of the purchase order or other similar document.

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
HUDSON COUNTY MOTORS	MAINTENANCE TO FIRE TRUCK ENGINE 861	\$15,234.45
HUDSON COUNTY MOTORS \$2756.25	INTAKE VALVE – ENGINE 861	

B.C. BID-2161

Councilmember	Motion	Second	Yes	No	Absent	Abstain
Cumiskey						
Mender						
Hansen						
Bresnak						
Antine						
Altman						

Motion offered by Councilwoman Antine, seconded by Councilwoman Altman to approve Resolution 2024-65 as presented. No discussion took place. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Hansen, Bresnak, Antine, Altman

NAYS: None

ABSENT: Mender

ABSTAIN: None

The Motion passed.

Resolution 2024-66 was next presented for consideration as follows:

MOTION:

SECOND:

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

Resolution No. 2024-66

Re: RESOLUTION AUTHORIZING PAYMENT TO FOUR MEMBERS OF THE NORWOOD FIRE DEPARTMENT WHO PROVIDED FIRE STAND-BY PERTAINING TO A FIRE ON JUNE 26 AND JUNE 27 ON PARIS AVENUE

WHEREAS, there was a fire in the Borough of Rockleigh on Paris Avenue on June 26 and June 27, 2024; and

WHEREAS, four members of the Norwood Fire Department provided “fire stand-by” on those days.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh that the following members of the Norwood Fire Department be provided a payment of \$185.00 each for “fire stand-by” in connection with the aforementioned fire:

MATT BOCCHINO
 MIKE AANONSEN
 ALEX WAISER
 MIKE PEPE

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available pertaining to such payments from Fire/OE Account #01-2010-25-2682-01.

Dated: September 4, 2024

Councilmember	Motion	Second	Yes	No	Absent	Abstain
Cumiskey						
Mender						
Hansen						
Bresnak						
Antine						
Altman						

I hereby certify that this is a true copy of the Resolution passed by the Governing Body at its meeting held on September 4, 2024.

MARCELLA GIAMPICCOLO, RMC
Borough Clerk

Motion offered Councilman Hansen, seconded by Councilman Cumiskey to approve Resolution 2024-66 as presented. Mayor Pontone spoke briefly about this resolution stating that these Firemen spent several hours overnight watching the roadway during the powerline fire on Paris Avenue in June. Discussion ended. The Roll Call vote was recorded as follows: AYES: Cumiskey, Hansen, Bresnak, Antine, Altman

NAYS: None

ABSENT: Mender

ABSTAIN: None

The Motion passed.

Resolution 2024-67 was presented for consideration as follows:

MOTION:
SECOND:

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

RESOLUTION 2024-67

WHEREAS, claims have been submitted to the Borough of Rockleigh in the following amounts under various funds of the town:

Current Appropriations (2024)	\$	159,862.89
Current Appropriations (2023)	\$	
General Capital Fund	\$	432.00
Animal Trust	\$	
Miscellaneous Trust	\$	588.48

Total **\$ 160,883.37**

WHEREAS, above claims have been listed and summarized in the attached Bills List Report, and the corresponding vouchers have been reviewed and approved by the department head, Borough Council, and the chief financial officer; and

WHEREAS, the Chief Financial Officer has determined that the funds have been properly appropriated for such purposes and are available in the Borough of Rockleigh and that the claims specified on the schedule attached hereto, following examination and approval by the Council and Chief Financial Officer and Department Head be paid and checks issued accordingly; and

WHEREAS, claims have already been paid in the following amounts for the purpose specified below:

Payroll- Salaries/Wages	08/30/2024	\$ 28,739.57
Local School- Health Benefits		\$
Capital Improvement Fund		\$
Debt Services	Payment	
	TOTAL	\$ 28,739.57

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh that the claims totaling **\$189,622.94** be approved and ratified respectively.

Dated: September 4, 2024

I hereby certify that this is a true copy of the Resolution passed by the Governing Body at their meeting held on **September 4, 2024**

**MARCELLA GIAMPICCOLO, RMC
BOROUGH CLERK**

	Yes	No	Absent	Abstain
Cumiskey				
Mender				
Hansen				
Bresnak				
Antine				
Altman				

Motion offered by Councilwoman Altman, seconded by Councilman Cumiskey to approve Resolution 2024-67 as presented. No discussion took place. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Hansen, Bresnak, Antine, Altman

NAYS: None

ABSENT: Mender

ABSTAIN: None

The Motion passed.

BOROUGH ATTORNEY REPORT: No Report.

Mayor Pontone stated for the record, that no other public was present for the meeting.

CORRESPONDENCE:

Mayor Pontone acknowledged the correspondence listed on the meeting agenda. No specific discussion regarding the correspondence took place; however, Mayor Pontone discussed his conversation with the Chief of Staff, Craig Dorsett, to the County Executive. During that conversation, Mayor Pontone was told that nothing specific has been decided by the County as to what will be located on the now vacant property with the Corporate Park. In addition, Mr. Dorsett noted that several items are currently being considered by the County, but no high-density housing was being considered at this time. Mr. Dorsett reassured Mayor Pontone during this conversation that once a plan was in place, Rockleigh would be notified. Discussion ended.

ADJOURNMENT:

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

Respectfully submitted,


Marcella Giampiccolo, RMC
Borough Clerk