

**MINUTES OF RE-ORGANIZATION AND REGULAR MEETING OF THE  
ROCKLEIGH SEWERAGE AUTHORITY  
HELD FEBURARY 7, 2022 AT 7:00 PM  
AT 26 ROCKLEIGH ROAD, ROCKLEIGH, NEW JERSEY 07647**

Mr. Cumiskey called the meeting to order and following the Pledge of Allegiance, the Opening Statement was read. It was announced that the meeting of this date was 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 was also posted on the Borough bulletin board as required.

The Oath of Office was administered to Mr. John Mender whose term is extended to January 31, 2027. Congratulations were offered by all in attendance.

The Secretary called the Roll Call of the Rockleigh Sewerage Authority:

**Present**– Chairman Cumiskey, Authority Member Pontone (via phone), Authority Member Schaffer, Authority Member Photiadis and Authority Member Feulner (via phone call) and Authority Alternate Member 1 Mender.

**Absent:** Authority Alternate Member Hansen

**Also Present** –Robert T. Regan, Esq., Authority Attorney; Marcella Giampiccolo, RSA Secretary; William J. McGuire, RSA Administrator and Authority CFO, Kunjesh Trivedi

At this time Nominations for the position of Chairman were offered. Mr. Schaffer nominated Mr. Mender and then Mr. Pontone seconded that nomination for Mr. Cumiskey to continue as Chairman. No other nominations were offered. The floor was next opened for nominations for the Vice Chairman position. Mr. Schaffer nominated Mr. Pontone, seconded by Mr. Mender. No other nominations were offered for Vice Chairman. All Members present voted in the affirmative for Mr. Cumiskey to remain as Chairman and for Mr. Pontone to remain the Vice Chairman. The Motion passed.

The Chairman announced that the Consent Agenda resolutions would only require one motion and one vote. Each Resolution title was read into the record. Resolutions RSA 2022 -1, RSA 2022-2, RSA 2022-3, RSA 2022-4, RSA 2022-5 and RSA 2022-6 were presented:

**RSA 2022-1**

MOTION:

SECOND:

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

**WHEREAS**, the Rockleigh Sewerage Authority 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 Rockleigh Sewerage Authority'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, and Lerch, Vinci & Higgins 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 Secretary of the Rockleigh Sewerage Authority:

Robert T. Regan, Esq., as Authority Counsel  
Rogut McCarthy LLC, as Authority Bond Counsel  
Neglia Engineering as Authority Engineer  
Lerch, Vinci & Higgins as Authority Auditor

**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 Authority's Chief Financial Officer, funds are available for this purpose.

**NOW, THEREFORE, BE IT RESOLVED** by the Rockleigh Sewerage Authority as follows:

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

Robert T. Regan, Esq., as Authority Counsel  
Rogut McCarthy LLC, as Authority Bond Counsel  
Neglia Engineering as Authority Engineer  
Lerch, Vinci & Higgins as Authority Auditor

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.

Dated: February 7, 2022

I hereby certify that this is a true copy of the Resolution passed by the Rockleigh Sewerage Authority at their Re-Organization meeting held on February 7, 2022.

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Marcella Giampiccolo, Secretary

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
Cumiskey				
Feulner				
Photiadis				
Pontone				
Schaffer				
Mender (Alt. 1)				
Hansen (Alt.2)				

**RSA 2022-2**

MOTION:

SECOND:

BE IT RESOLVED, the following banking institution be designated as official depository for the monies of the Rockleigh Sewerage Authority during the year 2022, and that the Chairman, Secretary and Treasurer/CFO be authorized as signatory for the accounts therein, and that the Mayor of Rockleigh be designated to sign checks in the absence of any one of the above signatories, and further that the signatories for the Rockleigh Sewerage Payroll Account be designated as the Secretary, or in her/his absence, the Rockleigh Sewerage Authority Treasurer/CFO:

- ConnectOne, Haworth, New Jersey

I hereby certify that this is a true copy of the Resolution passed by the Rockleigh Sewerage Authority at their Re-Organization meeting held on February 7, 2022.

\_\_\_\_\_  
Marcella Giampiccolo, Secretary

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
Cumiskey				
Feulner				
Photiadis				
Pontone				
Schaffer				
Mender (Alt. 1)				
Hansen (Alt.2)				

**RSA 2022-3**

MOTION:

SECOND:

Re: RESOLUTION APPOINTING THE 2022 ROCKLEIGH SEWERAGE AUTHORITY OFFICERS

RESOLUTION to confirm appointment of the following individuals as Officers of the Rockleigh Sewerage Authority for the year 2022:

Administrator	William J. McGuire
Secretary	Marcella Giampiccolo
Liaison to Town of Orangetown	Marcella Giampiccolo
Accounts Clerk	Marcella Giampiccolo
Chief Financial Officer	Kunjesh Trivedi

I hereby certify that this is a true copy of the Resolution passed by the Rockleigh Sewerage Authority at their Re-Organization meeting held on February 7, 2022.

\_\_\_\_\_  
Marcella Giampiccolo, Secretary

Member	Yes	No	Absent	Abstain
Cumiskey				
Feulner				
Photiadis				
Pontone				
Schaffer				
Mender (Alt. 1)				
Hansen (Alt.2)				

**RSA 2022-4**

MOTION:

SECOND:

Re: RESOLUTION DESIGNATING OFFICIAL PUBLICATION OF THE ROCKLEIGH SEWERAGE AUTHORITY

**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 Rockleigh Sewerage Authority 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 Rockleigh Sewerage Authority, 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.

I hereby certify that this is a true copy of the Resolution passed by the Rockleigh Sewerage Authority at their Re-Organization meeting held on February 7, 2022.

\_\_\_\_\_  
Marcella Giampiccolo, Secretary

Member	Yes	No	Absent	Abstain
Cumiskey				
Feulner				
Photiadis				
Pontone				
Schaffer				
Mender (Alt. 1)				
Hansen (Alt.2)				

**RSA 2022-5**

**MOTION:**

**SECOND:**

**ROCKLEIGH SEWERAGE AUTHORITY  
County of Bergen  
State of New Jersey**

**#RSA 2022-5**

**Re:** RESOLUTION APPROVING A PROTOCOL AND LOCKOUT/TAGOUT REQUIREMENT FOR CONTRACTORS SERVICING THE SEWERAGE PUMPING STATION ON PARIS AVENUE.

**WHEREAS**, a protocol and procedure has been prepared pertaining to a lockout/tagout requirement for contractors performing service and repair work at the Rockleigh Sewerage Pumping Station on Paris Avenue in the form attached hereto as Exhibit A; and

**WHEREAS**, this procedure will meet certain regulatory requirements, including the Public Employees' Occupational Safety and Health Act and regulations adopted thereunder, as well as other regulations.

**NOW THEREFORE BE IT RESOLVED** by the Authority that the attached protocol and lockout/tagout requirement for contractors be and the same is hereby adopted and approved.

**Dated: February 7, 2022**

	Yes	No	Absent	Abstain
Cumiskey				
Pontone				
Schaffer				
Photiadis				
Feulner				
Mender (ALT)				
Hansen (ALT)				

I hereby certify that this is a true copy of the Resolution passed by the Governing Body at their meeting held on February 7, 2022.

\_\_\_\_\_  
**MARCELLA GIAMPICCOLO, Secretary**

**RSA 2022-6**

**MOTION:**

**SECOND:**

**ROCKLEIGH SEWERAGE AUTHORITY**  
**County of Bergen**  
**State of New Jersey**

**#2022-6**

**Re:** RESOLUTION ESTABLISHING INTEREST ON SERVICE CHARGES OF THE SEWERAGE AUTHORITY

**WHEREAS**, N.J.S.A. 40:14A-21 (hereinafter “the Statute”) provides that whenever a service charge of any sewerage authority pertaining to any parcel of real estate property has not been paid when due, that interest shall accrue and be due to the sewerage authority on the unpaid balance at the rate of one and one-half (1½%) percent per month until such service charge and the interest thereon shall be fully paid to the sewerage authority; and

**WHEREAS**, the Rockleigh Sewerage Authority desires to implement this late charge consistent with the provisions of the Statute.

**NOW THEREFORE BE IT RESOLVED** by the Rockleigh Sewerage Authority that whenever any service charge pertaining to any parcel of real property has not been paid as of the due date or within ten (10) days of the date thereof, that interest on such service charge shall accrue at the rate of one and one-half (1½%) percent per month; and

**BE IT FURTHER RESOLVED** that a copy of the within resolution shall be forwarded to the Collector of the Borough in accordance with the provisions of the Statute.

\_\_\_\_\_  
**FRANK CUMISKEY, Chair**

**Dated: February 7, 2022**

I hereby certify that this is a true copy of the Resolution passed by the Rockleigh Sewerage Authority at their meeting held on February 7, 2022.

**MARCELLA GIAMPICCOLO, Secretary**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
Cumiskey				
Feulner				
Photiadis				
Pontone				
Schaffer				
Mender (Alt. 1)				
Hansen (Alt.2)				

At this time a Motion was offered by Mr. Pontone seconded by Mr. Mender to approve RSA Resolutions 2022-1 through 2022-6 as presented. The Roll Call vote was recorded as follows:  
AYES: Cumiskey, Pontone, Schaffer, Feulner, Photiadis, Mender  
NAYS: None  
ABSENT: Hansen  
ABSTAIN: None  
The Motion passed.

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**MINUTE APPROVAL:**

Minutes of the July 12, 2021 meeting were tabled due to lack of voting quorum.

Minutes of the February 1, 2021 meeting were presented for approval. Motion offered by Mr. Pontone, seconded by Mr. Cumiskey to approve the February 1, 2021 meeting minutes as presented. All Members present voted in the affirmative, except, Mrs. Feulner, Mr. Schaffer, Mr. Photiadis and Mr. Mender, who abstained from the vote, to approve the February 1, 2021 minutes. The Motion passed.

Minutes of the December 6, 2021 meeting were presented for approval. Mr. Pontone noted that Mr. Hansen was listed as both present and absent for that meeting. The Secretary confirmed that Mr. Hansen was absent for that meeting and that correction would be made. No further discussion took place. Motion offered by Mr. Mender, seconded by Mr. Pontone to approve the minutes of December 6, 2021 with the correction noted above. All Members present voted in the affirmative to approve the minutes except Mr. Cumiskey, who abstained from the vote. The Motion passed.

**OLD BUSINESS:** None.

**NEW BUSINESS:** Mr. Cumiskey reported the pump station generator is awaiting some parts for repairs needed. No other business was reported.

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**FINANCIAL BUSINESS/ PAYMENT OF CLAIMS:**

Resolution 2022-7 presented for consideration which was the Bill Lists for December 30, 2021 and February 7, 2022. Brief discussion took place regarding the \$9,322.53 amount represented on the December 30, 2021 Bill list. The CFO confirmed that amount represented the reimbursement amount from the RSA to the Borough of Rockleigh under the Shared Services Agreement which allows for 24.09% reimbursement for expenses occurred by the Borough. Discussion ended. A Motion offered by Mr. Mender, seconded by Mr. Schaffer to approve the Bill Lists for December 31, 2021 and February 7, 2022 representing the RSA contractual obligations in the amount of \$13,960.96. The Roll Call vote was recorded as follows:

AYES: Cumiskey, Pontone, Schaffer, Feulner, Photiadis, Mender

NAYS: None

ABSENT: Hansen

ABSTAIN: None

The Motion passed.

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The meeting was opened to the public by a Motion offered by Mr. Pontone, seconded by Mr. Mender. All Members present voted in the affirmative. The Motion passed. No public was present for the meeting. A Motion to close the meeting to the public was offered by Mr. Pontone seconded by Mr. Schaffer. All Members present voted in the affirmative. The Motion passed.

**CORRESPONDENCE:** Mr. Cumiskey briefly discussed the correspondence from Electrical Power Systems. Mr. Cumiskey noted parts have been delayed to repair the generator, and; therefore, at the present time, the generator at the pump station is down. The pump is working fine. Mr. Cumiskey stated that should the need arise for the need to rent a generator for a temporary time period that will be arranged until the repairs can be made. Discussion ended.

With no further business to come before the RSA, a Motion was offered by Mr. Mender, seconded by Mr. Schaffer to adjourn the meeting. All Members present voted in the affirmative to adjourn the meeting. The Motion passed.

Respectfully submitted,

Marcella Giampiccolo, Secretary  
Rockleigh Sewerage Authority

EXHIBIT A

## **Borough of Rockleigh Sewage Pump Station, Paris Avenue Lockout / Tagout Requirement for Contractors**

### **Purpose;**

Any contractor required to enter the Rockleigh sewage pumping station on Paris Ave for servicing and/or repairs shall have a "lockout / tagout program that is in compliance with the Occupational Safety and Health Administration Standard 29 CFR 1910.147, "The Control of Hazardous Energy". The program shall cover the control of hazardous energy for the contractor employees and any public for protection against injury and/or death, including equipment damage from unexpected startup, energizing and / or release of stored energy. The program shall apply to all sources of energy, including, but not limited to: mechanical, electrical, hydraulic, water pressure, pneumatic, chemical, and thermal energy. This program shall not apply to qualified/authorized person(s) for inspection services who do not require control of any energy sources for their inspection(s).

### **Repair / Maintenance Agreements;**

Prior to any contract award for maintenance and repair of equipment within the Rockleigh Sewage Pump Station it shall be ascertained that the contractor does have a program in compliance to 29 CFR 1910.147 (lockout / tagout). *The contractor shall state in writing that they can comply with the procedure when returning bid requirements.* A copy of this procedure shall be supplied to each contractor and is included as part of the bid process. Failure to have such a program shall disqualify the contractor from any work which requires OSHA compliance to this standard. Lockout and/or tagout shall be performed only by the authorized contractors who are performing the servicing or maintenance.

### **Notification and coordination;**

Whenever outside repair /servicing personnel are to be engaged in activities covered by the scope and application of this procedure, the contractor shall inform the Rockleigh Borough Office 201-768-4217 of their intent to enter the pumping station for repair or service, including any coordination of lockout and /or tagout that may be required. During the activity of lockout / tagout for repair, the contractor performing the work shall have complete control of any persons entering the station until all work is completed and the station is turned back to Rockleigh. Notification sequence for entry and coordination is as follows; the Sewage Authority Administrator - 1st, the Sewage Authority Chairman - 2<sup>nd</sup> and if unable to make contact with one of the first two, the Mayor. Also applies to emergency work. Documentation of coordination with the Borough of Rockleigh shall be retained and a copy forwarded to the Borough office.

**Failure to adhere to Lockout / Tagout:** Contractors failing to adhere to the provisions of the OSHA Hazardous Energy Control Standard will be asked to terminate their work until their program is brought into compliance.