

May 22, 2012

A Regular Meeting was held by the Township Council of the Township of Roxbury on May 22, 2012 in the Municipal Building located at 1715 Route 46 in Ledgewood, New Jersey at 7:30 PM.

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this Meeting of the Township Council of the Township of Roxbury was given as required by the Open Public Meetings Act as follows: On December 19, 2011, notice was faxed to the Daily Record, the Newark Star Ledger, The Roxbury Register and published in the Daily Record; notice shall also remain posted throughout the year on the bulletin board in the main hallway of the Municipal Building.

ROLL CALL (Present): Councilman Gary Behrens
Councilman Mark Crowley
Deputy Mayor Kathy DeFillippo
Councilman Jim Rilee
Councilman Martin Schmidt
Councilman Richard Zoschak
Mayor Fred Hall

Absent: None

Also Present: Christopher Rath, Township Manager
Anthony M. Bucco, Esq., Township Attorney
Amy Rhead, Township Clerk
Kathy Florio, Administrative Aide

Staff: Rick Blood, Director of the Department of Public Works

Public: approximately thirty (30) members of the public were in attendance

APPROVAL OF MINUTES

January 3, 2012 – Regular Meeting

Councilman Rilee made a motion to approve the above-listed minutes. Councilman Schmidt seconded the motion.

Roll Call: Councilman Behrens – Yes Councilman Crowley – Yes
Deputy Mayor DeFillippo – Yes Councilman Rilee – Yes
Councilman Schmidt – Yes Councilman Zoschak – Yes
Mayor Hall – Yes

Motion carried 7 to 0.

Mayor Hall amended the order of the agenda to allow the following items to be addressed that are listed in the agenda under REPORTS OF COUNCIL LIAISON REPRESENTATIVES, COUNCIL COMMITTEES AND NEW BUSINESS/OLD BUSINESS:

Access Agreement – Strategic Environmental Partners/Fenimore

Mayor Hall suggested that residents visit the Township website on a regular basis to view updated information which is posted as soon as it becomes available. Mr. Rath stated that the police in Roxbury and Mount Olive continue to monitor the truck traffic, but reported that most of the tickets that are written are issued to residents who are in violation of the speed limit. Mr. Rath informed the Council that the Morris County Soil Conservation District has denied the Township's request to hold their meeting during evening hours when more residents would be able to attend (they will be meeting during the day on May 23rd).

Andre Drive

Mr. Rath explained that a Deed of Access across the property lines would be needed in order to proceed and that Mr. Blood said that all three neighbors are amenable to the process.

RoxPAC Lease

Mr. Bucco reported that Investors Bank was still reviewing the modification to the Naming Rights agreement.

Historic Advisory Committee – Historic Preservation Awards

Mr. Richard Cramond, Chairman of the Historic Advisory Committee, spoke about the four Historic Districts in the Township:

- Ledgewood (formerly Drakesville);
- Succasunna (formerly Suckasunny);
- Kenvil (formerly McCainesville);
- Port Morris, Landing and Lower Berkshire Valley

Mr. Cramond presented current photos and certificates of recognition to representatives from the following commercial buildings that were selected for maintaining their original facade and for continually housing businesses that provide the same service for which the structures were originally intended to provide. Mr. Bucco presented Joint Senate and Assembly Citations for preserving history in the Township of Roxbury.

1. Secco Surveying – 459 Rte. 46, Kenvil (to be mailed to recipient)
2. Kelly’s Market – 601 Route 46, Kenvil (Mr. Patel accepted the award)
3. Parkhurst Distributing Co., 1207 Route 46, Ledgewood (Peggy Herring accepted the award)
4. Dow’s Garage, 210 Center Street, Port Morris (to be mailed to recipient)

Mayor Hall continued amending the order of the agenda to allow for items listed under MATTERS REQUESTED/REFERRED BY COUNCIL MEMBERS, MANAGER, ATTORNEY OR CLERK

Block Party – Forest Drive (July 19, 2012)

Councilman Schmidt made a motion to approve the above-listed Block Party request. Councilman Zoschak seconded the motion.

Roll Call:	Councilman Behrens – Yes	Councilman Crowley – Yes
	Deputy Mayor DeFillippo – Yes	Councilman Rilee – Yes
	Councilman Schmidt – Yes	Councilman Zoschak – Yes
	Mayor Hall – Yes	

Motion carried 7 to 0.

Mayor Hall continued amending the order of the agenda to allow for PUBLIC PORTION:

Lois Dege

204 Mooney Road, Flanders

Ms. Dege spoke about a road rage incident between a small vehicle and a large dump truck and stated that there were no police in sight when it occurred. Ms. Dege was advised to call the police when witnessing such an event.

John O’Neill

217 Mooney Road, Flanders

Mr. O’Neill thanked Mr. Rath for the time and effort the Township has put into trying to keep the residents of Mooney Mountain safe. However, he disputed the reported number of trucks traveling to and from the landfill and noted that there has been a marked increase in traffic within the last few days. Mr. Rath defended his estimates and said that the numbers are derived from actual counters on the road that report the

number and weight of each vehicle that enters and exits Mooney Road. Mr. O'Neill further disagreed with the level of police presence reported by Mr. Rath and said that the trucks are exceeding the 25mph speed limit when leaving the landfill. Discussion ensued in regard to the danger of the trucks, especially at the Route 206 intersection in Mount Olive Township. Mount Olive is aware of the ongoing truck traffic issues.

Millie Pellito

4 Lincoln Drive, Flanders

Ms. Pellito expressed frustration regarding the length of time it is taking for the appeals process. She said she wants the project stopped and noted that she has written letters to that effect, but has not received a response to any of them. Mr. Bucco and Mr. Rath explained that the Township has little to no authority over the operations as the NJDEP is in charge of the project. Mr. Rath stated that the Township resorted to filing a request to the NJDEP through the Open Public Records Act in order to receive information that SEP and the NJDEP should have been providing all along.

Craig Wanamaker

2 Sue Court, Flanders

Mr. Wanamaker expressed concern about mud on Mountain Road caused by the truck traffic. He asked if a tracking pad could be used on the roadway to alleviate the conditions. Mr. Rath said he was under the impression that the SEP had been addressing the mud and dirt issues on the road and that the NJDEP has been proactive and supportive about the importance of keeping the road cleaned. Mr. Wanamaker said that his family has had to modify their transportation schedules to avoid the truck traffic and associated delays. He asked for verification that the Council was not abandoning the Alternate Access route. Mr. Rath provided an update on the status of the alternate route. Mr. Bucco added that the concerns of the people have been heard from the Governor on down.

William Saks

8 Lincoln Drive, Flanders

Mr. Saks asked how long the operations can continue if the owner files an appeal. Mr. Rath said he believes they will be allowed to continue for another sixty business days, but would verify and disseminate the correct answer to the public.

Dennis Wine

4 Holly Drive, Succasunna

Mr. Wine noted that COAH is on the agenda and asked if the purchase of group homes would be factored into the affordable housing plans. Deputy Mayor DeFillippo responded and explained that purchasing of group homes is separate from COAH.

Maureen Leuszler

12 Lookout Drive, Ledgewood

Ms. Leuszler asked why out-of-state trucks are traveling in and out of the landfill site. Mr. Rath reviewed the type of materials that the NJDEP allows to be deposited at the site (also posted on the Township website) and noted that vehicles do not have to be from New Jersey in order to transport material. Mr. Rath said that attempts to obtain results of material testing have been unsuccessful for the most part. Mayor Hall said that he was hopeful that the results will be provided as a result of the OPRA request. Mr. Rath verified that the NJDEP has been on site, but reminded Council that it is private property and that Township staff does not have permission to be on the property.

Bill Dluzniewski

19 Jefferson Drive, Flanders

Mr. Dluzniewski reported that he attended a recent Morris County Soil Conservation District meeting and that they had discussed their concerns about dirt on the roadways around the landfill.

Craig Wanamaker
2 Sue Court, Flanders

Mr. Wanamaker noted the excessive amount of dirt on the road and said the residents should be informed of the content. He offered to collect some of the road dirt so it could be tested. Mr. Rath said that he would have Township staff determine whether there is enough soil on the road available for collecting and testing. Mr. Wanamaker spoke about the slippery conditions caused by the mud and the dust that is produced when the mud dries and expressed concern about the content of the dust. Councilman Schmidt expressed confidence that the independent engineers on the site would not jeopardize their professional licenses by signing off on material without being thorough and diligent in their efforts to verify that all deposited materials are allowable under the NJDEP's authorization.

Mayor Hall closed the public portion and returned to the order of the agenda.

REPORTS OF COUNCIL LIAISON REPRESENTATIVES, COUNCIL COMMITTEES AND NEW BUSINESS/OLD BUSINESS

Councilman Schmidt reported that the new Roxbury Public Library Director, Will Porter, would be starting the next day. He expressed appreciation to the outgoing Interim Director, Virginia Papandrea.

Councilman Schmidt said he heard that the bids received for the library boiler had come in lower than expected. Mr. Rath said he had been informed that they came in above the budgeted amount. It was agreed to suspend any further comment on the subject until the final results are available.

Councilman Schmidt asked for information on damage that he had observed to High Ledge Mine shaft fencing. Mr. Rath said that the damage was a result of the last storm and the Township is in the process of receiving quotes to proceed with the necessary repairs which will be reimbursed through insurance at a later date.

Councilman Schmidt reported that the recently painted bridge at the intersection of Phyllis Drive and Cynthia Drive was covered with graffiti again. Mr. Rath said that the staff would repaint it.

Councilman Schmidt thanked Richard Cramond for his earlier presentation.

Councilman Zoschak thanked Mr. Blood for making sure the potholes on Shippenport Road were repaired.

Councilman Zoschak complimented staff for finishing the park on Dell Avenue, but said that the amount of parking is insufficient. Mr. Rath informed Council of the plan to double the parking area by removing a portion of the guard rail.

Councilman Zoschak reported on his attendance at a recent Girl Scouts 100th anniversary celebration.

Councilman Zoschak reported on his attendance at the recent 10th Anniversary celebration of the Lake Hopatcong Commission, the status of weed harvesting efforts, and the end of the 319 Grant for the King Cove Basin. He also informed Council that the Water Scouts division of the Knee Deep Club would be assisting in locating areas with high densities of water chestnuts and provided details of the Club's upcoming Trout Fishing Contest.

Councilman Rilee reported that the Planning Board had approved the construction of a new bank and an office building on Commerce Boulevard.

Councilman Rilee asked if there was an update on the Towne Toyota expansion. Mr. Rilee said that he would check with Mr. Stern and provide an update to the Council.

Councilman Rilee said he would provide details of the recent COAH Committee meeting later in the meeting.

Mayor Hall amended the order of the agenda to allow for a group photo for an Eagle Scout Merit Badge requirement.

Ken Schwemmer, Troop 188, was in attendance as part of a requirement to achieve his Eagle Scout Communications Badge. Taking a photo with Mayor and Council fulfilled his requirement.

Mayor Hall Returned to REPORTS OF COUNCIL LIAISON REPRESENTATIVES, COUNCIL COMMITTEES AND NEW BUSINESS/OLD BUSINESS:

Councilman Behrens reported on topics from the Board of Education Meeting held the previous evening, including the privatization of the custodial staff, resignation of the Assistant Business Administrator, and bids coming in lower than expected for both the Franklin School roof project and the Nixon School boiler replacement. He also advised Council that the new Business Administrator and new Superintendent would be attending the Regular Council Meeting scheduled for June 26, 2012.

Councilman Crowley reported on the impressive number of individuals who showed up to volunteer their time spreading mulch and cleaning up around the Township during the recent Day of Service.

Councilman Crowley reported that he had visited the Berkshire Valley Nutrition Center and was amazed at the progress that has been made in cleaning it up.

Councilman Crowley reported that he and Deputy Mayor DeFillippo had attended the recent Economic Development Committee meeting.

Deputy Mayor DeFillippo informed the public that the Memorial Day Parade was scheduled to begin at 10:00 a.m. on May 28th and would be followed by a barbecue.

Deputy Mayor DeFillippo thanked Mr. Blood and his staff for the improvements that were completed on Center Street in Netcong.

Deputy Mayor DeFillippo reported on topics of discussion from the recent Trails Committee meeting and informed everyone that a new "Yellow Trail" had been completed on Mooney Mountain at Veterans Park. She requested that the trail be added to the Township's trails map.

Deputy Mayor DeFillippo announced that the next Neighborhood Meeting would be taking place on May 31, 2012 at the Company No.3 firehouse. She noted the informal and informative atmosphere continues to make the forum successful.

Deputy Mayor DeFillippo spoke about the success of the recent Taste of Roxbury event hosted by Economic Development Committee and Roxbury Chamber of Commerce.

Deputy Mayor DeFillippo referenced the Block Party that was approved earlier in the meeting and praised the organizers for continuing the event that had been started about ten years prior by a group of young people, now in college, as a fundraiser to raise money to purchase back-to-school sneakers for children who could not otherwise afford them.

Deputy Mayor DeFillippo informed Mr. Rath that a section of the guard rail on Emmans Road was still missing. Mr. Rath said that he would contact the County and ask for an estimated repair date.

Mayor Hall noted that the Governor had recently been in town and had complimented the Imagination Station playground. Mayor Hall pointed out that it was built entirely by volunteers.

Mayor Hall congratulated Amy Rhead for passing the Registered Municipal Clerk (RMC) examination with a score of 92%. Councilman Rilee and Mayor Hall covered the word “Acting” on the title of her name plate to reveal the title of “Municipal Clerk”. Mrs. Rhead thanked the entire Council, Manager, staff and members of the public for their support and encouragement over the past two years.

Mayor Hall spoke about the recent success of the Township Hostess, Melissa Hall, for completing the New Jersey Marathon.

Mr. Rath reported that he would be out of town on May 23, 2012, giving a seminar in Lancaster, Pennsylvania.

A. New Business – none

B. Old Business

1. **Access Agreement-Strategic Environmental Partners/Fenimore** – *previously addressed*
2. **Andres Drive** – *previously addressed*
3. **RoxPac** - *previously addressed*

C. Presentations

1. **Historic Advisory Committee – Historic Preservation Awards**- *previously addressed*

MATTERS REQUESTED/REFERRED BY COUNCIL MEMBERS, MANAGER, ATTORNEY OR CLERK

1. COAH

Mr. Rath provided an overview of the history of the Council on Affordable Housing legislation that was enacted requiring municipalities to provide low and moderate income housing units. He spoke about Roxbury’s diligent efforts to comply with the legislation that offered little guidance, constantly changing rules and regulations that were often unclear. He furthered that the State of New Jersey intends to take any uncommitted monies from municipalities to balance the budget; Roxbury has 2.8 million dollars in COAH (fully funded by developer fees). He provided information on various projects that would hopefully protect some of the money, but Mayor Hall noted that the Township still has about 1.2 million dollars in previously acquired funds at risk. Councilman Rilee spoke about the contribution of land from Roxbury (old DPW and Port Morris Annex properties) to Habitat for Humanity who will assume further responsibility to build on the sites. Council members were in agreement with the recommendations and thanked Mr. Rath and his staff on putting the deal together. Councilman Zoschak asked about cleanup expenses that would be incurred for the Port Morris Annex property. Mr. Rath said he has been informed that there are possibly underground oil tanks that would need to be removed. Councilman Rilee added that contracts have been drawn up to protect both sides in case unforeseen issues are discovered.

2. **Block Party – Forest Drive (July 19, 2012)** – *previously discussed*

PUBLIC PORTION – *previously held*

DRAFT ORDINANCES FOR DISCUSSION

None

INTRODUCTION OF PROPOSED ORDINANCES

None

HEARING AND ADOPTION OF ORDINANCES ON SECOND READING

None

INTRODUCTION AND ADOPTION OF RESOLUTIONS

2012-138 A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:

2012-139, 2012-140, 2012-141, 2012-142, 2012-143, 2012-144, 2012-145, 2012-146, 2012-147, 2012-148, 2012-149, 2012-150, 2012-151, 2012-152, 2012-153, 2012-154, 2012-155, 2012-156, 2012-157, 2012-158, 2012-159, 2012-160

Deputy Mayor DeFillippo made a motion to adopt incorporating Resolution No. 2012-138. Councilman Zoschak seconded the motion.

Roll Call: Councilman Behrens – Yes Councilman Crowley – Yes
Deputy Mayor DeFillippo – Yes Councilman Rilee – Yes
Councilman Schmidt – Yes Councilman Zoschak – Yes
Mayor Hall – Yes

Motion carried 7 to 0.

2012-139 A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO TILCON NEW YORK INCORPORATED FOR MILLING AND PAVING OF DELL AVENUE, ROGERS DRIVE, PARKWOOD DRIVE AND OTHER VARIOUS TOWNSHIP ROADWAYS

2012-140 A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF ONE UTILITY BODY AND ACCESSORIES FROM CLIFFSIDE BODY CORP

2012-141 A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO TACTICAL TECHNOLOGIES, INC. FOR A DIGITAL RECORDING DEVICE FOR USE IN THE ROXBURY TOWNSHIP POLICE DEPARTMENT

2012-142 A RESOLUTION REJECTING THE SOLE BID RECEIVED FOR SULFUR DIOXIDE

Deputy Mayor DeFillippo expressed appreciation for rejecting bids that received only one response. Mr. Raths explained that the staff is under direction to get a minimum of three bids per proposal when possible. (Note: comments also apply to Resolution No. 2012-144).

2012-143 A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO POLYLITE ROOF DECKS, INC FOR THE MAIN SERVICE BUILDING ROOF REPLACEMENT AT THE AJAX TERRACE WATER POLLUTION CONTROL PLANT

2012-144 A RESOLUTION REJECTING THE SOLE BID RECEIVED FOR SODA ASH

(See comments under Resolution No.2012-142)

2012-145 A RESOLUTION AUTHORIZING THE REFUND OF TAXES

2012-146 A RESOLUTION AUTHORIZING THE REFUND OF WATER UTILITY OVERPAYMENT

2012-147 A RESOLUTION AUTHORIZING THE REFUND OF TAXES

- 2012-148** A RESOLUTION AUTHORIZING THE EXECUTION OF AN ENCROACHMENT PERMIT AGREEMENT WITH AT&T CORPORATION
- 2012-149** A RESOLUTION AUTHORIZING THE INSERTION OF AN ITEM OF REVENUE IN THE 2012 BUDGET FOR ADDITIONAL FUNDING FOR CLEAN COMMUNITIES GRANT PROGRAM
- 2012-150** A RESOLUTION AUTHORIZING THE INSERTION OF AN ITEM OF REVENUE IN THE 2012 BUDGET FOR ADDITIONAL FUNDING FOR SAFE AND SECURE GRANT
- 2012-151** A RESOLUTION TO APPLY FOR AND OBTAIN A RECREATION OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES GRANT
- 2012-152** A RESOLUTION TO APPLY FOR AND OBTAIN A RECREATION OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES GRANT
- 2012-153** A RESOLUTION AUTHORIZING THE INSERTION OF AN ITEM OF REVENUE IN THE 2012 BUDGET FOR ADDITIONAL FUNDING FOR RECREATION OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES
- 2012-154** A RESOLUTION AMENDING THE MEMBERSHIP OF THE TOWNSHIP FIRE DEPARTMENT
- 2012-155** A RESOLUTION AUTHORIZING THE REFUND OF AN UNUSED ENGINEERING INSPECTION FEE TO CUSTOM QUALITY CARPENTRY IN CONNECTION WITH A PROJECT LOCATED AT 520 COLVER ROAD, LANDING, BLOCK 11411, LOT 3
- 2012-156** A RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE GUARANTEE FOR SITE IMPROVEMENTS FOR THE DEVELOPMENT KNOWN AS DEER VIEW ESTATES, LLC BLOCK 4201, LOT 11
- 2012-157** A RESOLUTION AUTHORIZING ACCEPTANCE OF GIFTS
Deputy Mayor DeFillippo asked when resolutions regarding the acceptance of monies for the Memorial Day Parade and the Beach Blast BBQ event would be available for Council consideration. Mrs. Rhead said that gift acceptance resolutions could be placed on future agendas with the retroactive dates of receipt notated. Mr. Bucco confirmed. (Note: comments also apply to Resolution No. 2012-158).
- 2012-158** A RESOLUTION AUTHORIZING ACCEPTANCE OF GIFTS
(see comments under Resolution No.2012-157)
- 2012-159** A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO DELL TO PROVIDE MICROSOFT OFFICE 2010 SOFTWARE UPGRADE TO ALL EXISTING TOWNSHIP COMPUTERS
Council members agreed that staff training was a necessary component of the new software.
- 2012-160** A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

PERSONNEL CHANGES

None

COMMUNICATIONS

May 11, 2012

#3 Correspondence from John Moschella, Succasunna Resident, to Mayor and Council, dated May 10, 2012, re: letter of gratitude for a job well done by the road department

Council members acknowledged the positive letter received from Mr. Moschella.

#5 Correspondence from John Anderson, Area Manager JCP&L, to Mayor Fred Hall, dated May 1, 2012, re: JCP&L introduction of its "24/7 Power Center" - website: <http://outages.firstenergycorp.com/nj.html>

Mayor Hall asked Mr. Raths to have the JCP&L outage link added to the Township website.

#9 Mayors Advisory, dated May 4, 2012, re: Affordable Housing Trust Funds, July Deadline

Councilman Rilee asked if the Council had previously passed a resolution opposing the deadline. Mr. Raths confirmed.

May 18, 2012

#1 Correspondence from Christopher Raths, Township Manager, to Mayor and Council, dated May 18, 2012, re: Information Update

Mayor Hall requested that future Information Updates include potential repaving efforts at Horseshoe Lake. Mr. Raths agreed to ensure the inclusion of the subject.

#1, H Correspondence from Christopher Raths, Township Manager, to Mayor and Council, dated May 18, 2012, re: Information Update: Berkshire Valley Nutrition Center

Councilman Schmidt asked for more detailed information about the current annual costs associated with the Berkshire Valley Nutrition Center site. He also requested cost estimates for the demolition of the building. Mr. Raths said that he would be providing a concept plan for the Recreation Committee to review.

#3 Correspondence from James Simonetti, Roxbury Township Police Chief, to Christopher Raths, Township Manager, dated May 3, 2012, re: recognition to the following officers for their excellent police work that assisted in the apprehension of an armed robbery suspect:

Lt. John Simone	Sgt. Kevin Howell
Sgt. Gerard Hardiman	Sgt. Scott Shinkowski
Det. Dean Adone	Ptl. Jonathon Edmunds
Det. Adam DelGuercio	Ptl. Michael Fournier
Det. Robert Herzog	Ptl. Silvio Valdes
Det. William Manisa	Ptl. Jack Sylvester

Mayor Hall complimented the members of the Police Department for their extraordinary efforts that resulted in the apprehension of the suspect.

#4 Correspondence from Debbie Hirt, NJDOT, Office of Community Relations, to Mayor Fred Hall, dated May 15, 2012, re: letter of notification of Pavement and Culvert Replacement project at Rt.10 East & West; from Rt. 46 to Mt. Pleasant Turnpike

Councilman Rilee asked if the information was part of the redesign. Mr. Blood explained that the repaving would begin at Morris-Sussex Pet and Hillside Avenue and continue east on Route 10. Mr. Raths said that it may be part of the improvements, but would need to discuss further with County representatives.

#6 Correspondence from Dennis Wine, Succasunna resident, to Governor Chris Christie, dated, May 2, 2012, re: Fees as a device to avoid the 2% spending cap; #7 Correspondence from Dennis Wine, Succasunna resident, to Governor Chris Christie, dated, May 2, 2012, re: suggestion to consider allowing COAH funds to be used for the creation of Group Homes

In reference to the letters listed as #6 and #7 above, Deputy Mayor DeFillippo thanked Mr. Wine for his community spirit, participation and activism.

#17 Mayors Advisory, dated May 15, 2012, re: S-1914, User Fees (See attached correspondence dated May 8, 2012, re: S-1914 Requires User Fees Be included in 2% Cap)

Councilman Rilee asked for Council's thoughts on S-1914. Although Mr. Bucco said that he thought the legislation was intended to apply toward fire protection and similar services, the Council recognized the State's inability to clarify exactly what it is proposing within the language of its legislation. Council members unanimously agreed that it was best to oppose the proposed legislation as written. Mr. Raths said a resolution would be included on the next Council agenda.

#18 Mayors Advisory, dated May 16 2012, re: Affordable Housing, COAH Trust Funds, A-2950

Deputy Mayor DeFillippo asked if the Council should request an extension of July deadline. Council members did not think it was worth the effort because it was unlikely that the Governor would consider such a request.

INVITATIONS:

Supplied in Communications Packet of week ending:	Date Of Event	Event	Sponsored by:	RSVP by (date):	Cost
5/11/2012	June 1, 2012	Roxbury Annual Senior Citizen luncheon	St. Therese Church	Yes	Donation
5/18/2012	June 2, 2012	Eagle Scout ceremony for: Nicholas DeFuria	Troop 54	Yes	
5/18/2012	June 2, 2012	Eagle Scout ceremony for: Michael J. Bolger	Troop 54	Yes	

Mayor Hall thanked Mrs. Rhead for creating the chart for invitations.

Mrs. Rhead asked if anyone was planning on attending the Senior Citizen Luncheon. Councilman Behrens confirmed that he would be attending; Mayor Hall stated that he would check his schedule before committing.

Councilman Zoschak stated that he would be attending the Eagle Scout Ceremony on June 2, 2012.

Deputy Mayor DeFillippo suggested adding a column identifying whether anyone's attendance had been confirmed per event.

PUBLIC PORTION

Robert Kluska

274 Emmans Road, Flanders

Mr. Kluska expressed sadness as he announced that he had just been informed that long time resident, VFW member, WWII Veteran, and Roxbury Seniors Club member, Roger Mills, had passed away.

Mr. Kluska expressed his opinion that the Council should be placing a more proactive emphasis on road maintenance and paving efforts in order to protect the infrastructure. Councilman Rilee agreed that a more comprehensive approach should be taken. Deputy Mayor DeFillippo said that storm drains and sidewalk repairs should be a priority, as well. Mayor Hall noted that NJDOT grants have been practically eliminated and funding is simply not available to keep up with the demand.

Dennis Wine

4 Holly Drive, Succasunna

Mr. Wine referenced a "letter to the editor" that was published in the May 17, 2012 Roxbury Register regarding the previous Fenimore landfill site. Mr. Wine questioned the accuracy of the statements made by the author of the letter in regard to Councilman Rilee and his position on the Highlands Council. Councilman Rilee said that this was the first time he had heard anything about the letter.

Councilman Rilee said that he was appointed to the Highlands Council in 2011 and is currently the Chairperson. He stated that he adheres to the legal opinions that have been provided by the Township Attorney as well as the Attorney General. He recuses himself from any and all issues regarding Roxbury while sitting on the Highlands Council, allowing him to maintain his position as a Councilman for the Township of Roxbury, but would recuse himself from any discussion that was a potential conflict of interest due to his Highlands Council position.

Regarding Fenimore, Councilman Rilee said that his opinion has been consistent in that he did not support the actions of the NJDEP proceeding with approving a project within Roxbury without notifying the Township or including the staff in any part of the process. He further stated that the comments in the letter can easily be disproven by listening to the audio taped recordings of the meetings that are available on the Highlands Council website.

Mayor Hall closed the public portion.

EXECUTIVE SESSION

2012-161 A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING CONFERENCE OF THE TOWNSHIP COUNCIL WITH THE PUBLIC EXCLUDED

Matter(s) Relating to:

- 1. Contract Negotiations** – PBA Superior Officers Union
- 2. Contract Negotiations** – Public Employee Workers Association
- 3. Attorney Client Privilege** – former Fenimore Landfill

At 9:35PM, Councilman Schmidt made a motion to adopt Resolution No.2012-161 for Executive Session. Councilman Rilee seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 7 to 0.

At 9:59PM, the Council returned to the open session of the meeting.

Mr. Raths informed Council members that a notice would be posted on the Township website regarding the murder investigation of the owner of the Kenvil Diner.

ADJOURNMENT

At 10:00PM, Councilman Schmidt made a motion to adjourn the meeting. Councilman Zoschak seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 7 to 0.

Submitted By:

Amy E. Rhead
Township Clerk

MINUTES APPROVED BY COUNCIL

DATE: September 11, 2012

ROLL CALL: Councilman Behrens – Yes
Councilman Crowley – Yes
Deputy Mayor DeFillippo – Yes
Councilman Rilee – Yes
Councilman Schmidt – Yes
Councilman Zoschak – Yes
Mayor Hall – Yes