

September 11, 2012

A Regular Meeting was held by the Township Council of the Township of Roxbury on September 11, 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 Raths, Township Manager
James Bryce, Esq., Associate Township Attorney (8:05 departure)
Anthony M. Bucco, Esq., Township Attorney (8:05 arrival)
Amy Rhead, Township Clerk

Staff: James Simonetti, Chief of Police
Richard Blood, Director of Department of Public Works

Public: approximately ten (10) members of the public were in attendance; Mike Condon, Reporter, Roxbury Register

Mayor Hall amended the order of the agenda to read the following prepared statement:

“I am sure there is not a person here today that cannot recall where they were on September 11, 2001. It’s a point in time forever engraved in all of our memories; a day that touched all of us and will remain with us for the rest of our lives. The concept of deliberately causing the deaths of three thousand innocent United States citizens remains incomprehensible. We live in a country that is kinder, more giving and more caring than any other in the world. You do not have to reach beyond Roxbury to see that. Yet, there are some who believe that this way of life is a threat and choose to attack our freedoms, our beliefs, our liberties, and in the case of 9/11, our own countrymen and women. We stretch out our hands to help others, not knowing their beliefs, their culture, their background or their religious beliefs. We treat all people with respect and dignity. We are equal opportunists in helping others and promoting tolerance. And, for some reason, this infuriates some, driving them to unthinkable actions. When people are in trouble we have a propensity to help. This was not more evident than in Roxbury when our fire and emergency services units went to the Towers to assist people in need. We will never forget what happened on September 11, 2001. The senseless deaths of our friends have only served to strengthen us. We will move on, but we will never forget. On behalf of the entire Roxbury Township Council and the administration, may God bless the victims of 9/11.”

(Mayor Hall asked for a moment of silence at this time)

Mayor Hall also announced that the annual “Day of Service” event would be held on Saturday, September 15, 2012. Organized by Pastor Joe Monahan of the Succasunna United Methodist Church, the event calls for members of local faith organizations, Scout groups, community members and families to join together and assist with volunteer projects around the municipality to make a difference in “tangible” ways “to help remember and honor those who died.”

Mayor Hall returned to the order of the agenda

PRESENTATIONS, AWARDS, ETC

None

APPROVAL OF MINUTES

February 21, 2012 – Regular Meeting
 March 6, 2012 – Budget/Regular Meeting
 May 22, 2012 – Regular Meeting

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

	February 21, 2012 Regular Meeting	March 6, 2012 Budget/Regular Meeting	May 22, 2012 Regular Meeting
Roll Call:			
Councilman Behrens	Yes	Yes	Yes
Councilman Crowley	Yes	Yes	Yes
Deputy Mayor DeFillippo	Yes	Yes	Yes
Councilman Rilee	Yes	Abstain	Yes
Councilman Schmidt	Yes	Yes	Yes
Councilman Zoschak	Abstain	Abstain	Yes
Mayor Hall	Yes	Yes	Yes
	Motion carried 6 to 0 with one abstention.	Motion carried 5 to 0 with two abstentions.	Motion carried 7 to 0.

Mayor Hall amended the order of the agenda to allow for discussion on the item listed as item “D” under MATTERS REQUESTED/REFERRED BY COUNCIL MEMBERS, MANAGER, ATTORNEY OR CLERK

Police Education Requirements

Chief Simonetti spoke about his request to modify the eligibility requirements for police officer candidates to include individuals with military and/or equivalent work experience who may be qualified for the position even though they might not have a Bachelors Degree.

Currently, only candidates with a four year college degree are eligible to apply for a police officer position in Roxbury. Chief Simonetti proposed that the ordinance be amended to allow individuals with the following qualifications to be included in the pool of candidates:

- four (4) year honorable discharge from a branch of the United States military
- 2 years of college or sixty (60) college credits or an Associates Degree, plus two (2) years of documented work experience (which could include less than four years of honorable military discharge/previous police experience)

Council members had no objections to the inclusion of military personnel, but discussion took place regarding language that specified the need to have received a “four (4) year honorable discharge” because each branch of the military has a different length of time that constitutes a ‘tour of duty’ allowing for an honorable discharge at the conclusion. There was also discussion on whether some military positions would provide experience relevant to law enforcement duties.

Council members expressed concern about the possibility of the union attempting to negotiate tuition reimbursement and/or payments for college credits if the criteria were changed to allow candidates with a two-year degree. It was pointed out that the union can try to negotiate tuition reimbursement back into their contracts at any time regardless of whether or not the eligibility requirements are modified.

Chief Simonetti agreed to research the differences regarding honorable discharge and provide a revised proposal to Council regarding the expansion of eligible applicants.

Mayor Hall returned to the order of the agenda.

PUBLIC PORTION

Ernest Gefert

Kings Highway, Landing

Mr. Gefert spoke in opposition of the closing of Third Avenue, which, Mr. Rath explained, is an unimproved (“paper”) road. Mr. Gefert claimed that the electric company cannot get to the substation because of the blocked road. Councilman Zoschak said that it had originally been cordoned off in an attempt to prevent people from riding their four-wheel recreational vehicles on the McNear Quarry property. Mr. Rath offered to contact JCP&L to verify that they have sufficient access to the referenced substation.

Ralph Nappi

29 Ford Road, Landing

Mr. Nappi asked for clarification on the Chief’s earlier presentation. Mr. Rath responded that the request was to expand the pool of police officer candidates. Mr. Nappi also spoke about the need to look into the different amounts of time required to achieve an honorable discharge.

Dennis Wine

4 Holly Drive, Succasunna

Mr. Wine referenced the statement in Resolution No.2012-280 stating that the Township has been named as a defendant in over 200 County Tax Board appeals, and asked if that was an increase from previous years. Mr. Rath explained that the number of appeals mentioned in the resolution was not just from one year, but was the number of County Tax Board appeals in its entirety.

Mr. Wine also referenced the presentation made by Chief Simonetti and asked if the type of military service would be specified, noting that members of military reserve units may receive honorable discharge upon completion of their tour of duty without having any experience relative to police work.

Nicole Guerrieri

55-57 Main Street, Succasunna

Ms. Guerrieri claimed that the Main Street Streetscaping project resulted in the loss of use for one of her driveway entrances to her two-family dwelling. Council members were informed that the Township Land Use Ordinances allow only one driveway opening for residential properties of her lot size and no approval for the second driveway had ever been obtained. Therefore, the second opening was not shown on the diagram the contractor followed during the course of installing the curbing and sidewalk forms. Upon installation of the concrete block curbing, access was no longer available to the portion that had previously been utilized as a driveway.

Members explained that the Council has no authority to get involved with the situation and informed Ms. Guerrieri that she should first try to resolve the issue with the Zoning Officer. If unable to come to a satisfactory resolution of the conflict, she could then appeal to the Zoning Board of Adjustment. Mr. Bucco added that the Municipal Land Use Law specifically spells out the appeals process that needs to be followed.

Ms. Guerrieri continued providing suggestions about how to resolve her problem. Council members continued to inform Ms. Guerrieri that they had no jurisdiction and that she needed to discuss her situation with the Zoning Officer.

Ms. Guerrieri claimed that her property value has been negatively affected by the Main Street Streetscaping project. Mr. Rath countered that the new sidewalks and curbing would increase the property values.

Joan Guerrieri

55-57 Main Street, Succasunna

Mrs. Joan Guerrieri said that her daughter, Nicole, should not be required to go through the variance process because the two driveways were preexisting on the property when it was purchased. She also claimed that she was told they would not prevail if they went before the Zoning Board. Mr. Rath and Council members explained that the Zoning Board of Adjustment is an independent body with their own independent Engineer so an outcome could not be predicted.

John O'Neill

217 Mooney Road, Flanders

Mr. O'Neill asked whether or not Council would be providing an update on the status of the alternate access road. Mayor Hall noted that the item was listed on the agenda and said he would amend the order to have Mr. Rath discuss it right after the public portion.

Robert Kluska

274 Emmans Road, Flanders

Mr. Kluska referenced earlier presentation by Chief Simonetti and felt that Council should consider clarifying the terminology referring to the requirement of having a "four-year college degree" because some students complete college in three years.

Mayor Hall closed the Public Portion.

Mayor Hall amended the order of the agenda to allow for discussion on the item listed under the "New Business/Old Business" portion of REPORTS OF COUNCIL LIAISON REPRESENTATIVES, COUNCIL COMMITTEES AND NEW BUSINESS/OLD BUSINESS

Access Agreement – Strategic Environmental Partners/Fenimore

Mr. Rath reported that:

- revised estimates were sent to the NJDEP incorporating the costs associated with NJDEP's latest request asking the Township to design and build the access road into the SEP property.
- revised plans had been submitted to the NJDOT addressing concerns that Route 46 would be negatively impacted by the previous design.
- construction documents should be completed by next week.
- a written agreement with SEP needs to be executed regarding the right-of-way.
- SEP may also need to obtain NJDEP permits.

Mr. Rath said that the NJDOT had commented that the original access road plan was an "accident waiting to happen"; he pointed out that the NJDEP was not required to receive NJDOT approval when they allowed large dump trucks and tractor trailers to travel on residential roadways, which has already resulted in an overturned truck and many close calls.

Mr. Bucco advised the Council that he had sent the Access Agreement to the Township the previous week and was waiting for Mr. Rath and Mr. Kobylarz to

provide their comments. Mr. Rath said he would be forwarding his comments to Mr. Bucco soon.

Mayor Hall allowed public comment from John O'Neill of 217 Mooney Road in Flanders. Mr. O'Neill thanked the Council and recognized their efforts. Councilman Rilee thanked Mr. O'Neill for attending the meetings, staying involved and making informed decisions.

Councilman Zoschak asked Mr. Blood if the time of year and changing weather would affect the ability to purchase asphalt. Mayor Hall noted that Councilman Zoschak brought up a good point and asked Mr. Blood to check into the availability aspect of the products needed for the construction of the road.

At 8:30PM, Mayor Hall continued amending the order of the agenda to allow for discussion regarding item "A" listed under MATTERS REQUESTED/REFERRED BY COUNCIL MEMBERS, MANAGER, ATTORNEY OR CLERK

Blue Vista

David Epstein, President of the Land Conservancy of New Jersey, spoke about the Conservancy's Morris County Open Space application in regard to acquiring portions of land from Blue Vista. He added that there was no funding request associated with the request, but, in order to proceed, the Council would have to pass of a resolution in support of the acquisition and send it to the County by tomorrow.

Gary Steinfield, Principal of Blue Vista Consulting, spoke about the lack of success with their original plans for the project. He cited reasons for selling a portion of their property to the Land Conservancy which included economic viability issues, unanticipated costs for infrastructure improvements to wetlands and steep slopes, costs associated with JCP&L enhancements/upgrades and traffic flow issues. Regarding the Township's concerns about the loss of ratables if the land was sold for open space, Mr. Steinfield suggested that, given the site constraints and the inability of the owner to sell, ratables never existed. In regard to previous concerns regarding the elimination of the traffic signal, Mr. Steinfield said that the signal would no longer be necessary for the portion they were considering retaining. He felt that there was a high likelihood that a traffic signal would be installed at a later date when someone builds on the front portion.

John Wyciskala attorney for Blue Vista displayed a diagram (created by Omland Engineering) to provide visual clarification regarding the parcels being discussed. Mr. Wyciskala furthered discussed the reasons they were no longer interested in the property, citing costs for roads and infrastructure improvements, sewer extensions, and site and traffic improvements.

Councilman Zoschak asked Mr. Steinfield why he continued promoting the project when, by his own admission, he knew the project viability was questionable from the start. Mr. Steinfield responded by claiming that no one took the project seriously and the costs were not anticipated. Councilman Zoschak expressed his thoughts that Blue Vista could have projected the costs and should have known the project was not likely to succeed.

Council members were informed that if the land were to be sold to the Land Conservancy and reclassified as open space, the definite tax loss would be approximately \$84,000. If the land were to be developed as originally proposed, the Township would have potentially brought in hundreds of thousands of dollars in property taxes.

Councilman Rilee wondered why Blue Vista had not informed the Council sooner that they were contemplating changing their original plan and was perplexed about being asked to make a decision at the last minute.

Discussion took place regarding the sales price of one million two hundred and fifty thousand dollars and the appraisal amount which was reportedly one point seven

million dollars. Mr. Bucco pointed out that the appraisal was based on the approved plans.

Councilman Rilee asked if the Land Conservancy usually purchases property. Mr. Epstein responded that they own six (6) preserves and are looking to expand the number of properties. Council members asked why the Land Conservancy wanted a piece of property that is unusable, as suggested by Mr. Steinfield. Mr. Epstein spoke about the substantial natural resources, such as, chestnut trees, that exist because of the absence of invasive species. He said it is a very unique and important piece of property in regard to natural resources.

Deputy Mayor DeFillippo said she supports saving property from being developed, but as a member of the governing body needs to balance that with the loss of ratables. She said that, at this time, she could not support the sale of the land to the Land Conservancy because it would result in loss of sizeable ratables for the Township. Furthermore, she felt the potential consideration of a housing development on this property was a threat and that history has proven that the senior housing was built to the excess and now developers are trying to prove that they cannot build senior housing and want relief to eliminate age restriction.

Councilman Zoschak was concerned about supporting the application because of the loss of ratables. He again noted that Mr. Steinfield should have known that the project was not viable.

Councilman Behrens was not supportive for reasons that included the loss of the promised traffic signal which was a main factor in granting Blue Vista their original approval.

Mayor Hall said that he would support the acquisition, but the six remaining members were in agreement that they did not support The Land Conservancy's Open Space application to purchase the Blue Vista properties at this time and again noted their disappointment with being asked to make a decision at the last minute.

Mr. Rath agreed to send a letter to the County advising them of the Council's lack of support for the application and Mrs. Rhead advised that she would be providing a draft copy of the minutes to Barbara Murray, Open Space Program Coordinator of the Morris County Preservation Trust.

At 9:20PM, Mayor Hall allowed for a brief recess.

At 9:30PM, Council returned to the meeting. Mayor Hall continued amending the order of the agenda to allow for discussion of item "B", "C", and "E" as listed under MATTERS REQUESTED/REFERRED BY COUNCIL MEMBERS, MANAGER, ATTORNEY OR CLERK

Health Insurance Review/Recommendations

Mr. Rath reviewed the results of the health insurance review and the recommendation to move to the State Health Benefits Plan. General council discussion took place regarding:

- policy term: annual basis
- pre-existing conditions: cannot drop anyone
- retiree coverage: requirement to provide retirees with notification of change
 - Township can establish a retiree reimbursement fund for co-pays or other costs that are determined as not "equal to or better than"
- Blue Cross Blue Shield is a more recognized plan
- HIF return dividend was taken into account when figuring the savings.
- HIF rates affected by membership expansion and health care increases
- in 2002, State Health Benefits Plan could not accommodate employee contributions and HIF could

- Quality of service information: committee looked at plan; it has been endorsed by every union representing the municipality. Mr. Rath agreed to provide Council with customer satisfaction feedback.
 - Mr. Rath made it clear that the HIF has always provided a very good quality of service.

The Council supported the recommendation to proceed with switching to the State Health Benefits Plan. Mr. Rath advised that he was still waiting for the committee's dental plan recommendation.

Landing Road Bridge Transportation Funding

Council members applauded Mr. Rath for being proactive in attempting to obtain funding from the recently announced reauthorization of unspent federal transportation funds for the Landing Road Bridge project

Shared Service – Joint Purchase of Paving Machine

Council members asked Mr. Blood what process the Township currently uses to address paving issues. Mr. Blood responded that the Township currently either patches the areas or has to contract out for milling and paving. He further explained that sharing the paving machine would save money, reduce the amount of time patching and extend the life of the roads.

Councilman Rilee approved of the concept of sharing but expressed the importance of ensuring a fair and equitable agreement among the participating municipalities. Mr. Blood also noted that driver training was included as part of the deal. Issues regarding storage, housing and maintenance were also discussed.

Mayor Hall returned to the order of the agenda.

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

A. Reports of Council Liaison Representatives and Council Committees

Councilman Schmidt asked for Council authorization to utilize money from the Tree Fund account to purchase a Cherry Tree and plaque in memory of Edward Kirchgessner to be planted by the pavilion at Horseshoe Lake. Council had no objections to the proposal.

Councilman Schmidt reported on a missing Memory Lane sign (Mapledale). Mr. Rath said he would look into it.

Councilman Schmidt asked for an update on the status of parking issues on Main Street. Mr. Rath reported that inconsistent parking regulations exist in the area and the situation is still being reviewed.

Councilman Zoschak asked for the status on the storm drain issue on the Boulevard. Mr. Rath said a Notice of Violation will be issued to the property owner for discharging into the street.

Councilman Zoschak announced that it seems like the Lake Hopatcong Commission might be dissolved.

Councilman Zoschak asked when the Health Department would be offering flu shots. Mr. Rath said he would find out and report back.

Councilman Zoschak reported on another successful Olde Suckasunny Day event.

Councilman Zoschak was glad that the Route 10 project had been started.

Councilman Rilee asked Mr. Raths to provide Council with an update on the Musconetcong Sewerage Authority.

Councilman Behrens also noted that Suckasunny Day was a great event.

Councilman Behrens reported on the date and time for the next Main Street Committee meeting.

Councilman Behrens reported on the recent Board of Education meeting:

- new superintendent doing excellent job; improved rapport
- presentation regarding New Math initiatives to bring up test scores
- outsourcing has resulted in the buildings being better maintained
- student population: 3,935
- maintenance items being reviewed in all buildings
- the Board of Education is interested in scheduling a Shared Services Meeting with the municipality

Councilman Crowley reported that he had received a legal opinion from Mr. Bucco regarding his questions about electronic information and paperless meetings and that the Computer Committee would be providing a recommendation in the near future.

Councilman Crowley pointed out that the Zoning Board of Adjustment vacancy needs to be filled. Mayor Hall and Council members concurred.

Deputy Mayor DeFillippo announced that the next Neighborhood Meeting would be held on Thursday, September 27, 2012 at 7:00 p.m. in the Company No.1 Firehouse on Main Street in Succasunna. She also stated that the final Neighborhood Meeting for 2012 was scheduled for Tuesday, October 30, 2012 at 7:00 p.m. in the Company No.2 Firehouse on Shippenport Road in Landing.

Deputy Mayor DeFillippo also reported that the Economic Development Committee meeting, originally scheduled for September 27, 2012, was re-scheduled to meet on September 20, 2012 due to the conflict with the Neighborhood Meeting.

Deputy Mayor DeFillippo also reported on the Ribbon Cutting event at the Black River Trails.

Deputy Mayor DeFillippo reported that the Main Street Streetscaping Committee would be holding their "Value This" Antique Road Show fundraising event on September 29, 2012.

Deputy Mayor DeFillippo announced the date and time of the next scheduled Water and Sewer Committee meeting.

Deputy Mayor DeFillippo requested that the Chairs of all Boards and Committees provide Council with attendance records from January through present.

Mayor Hall reported on the recent Ribbon Cutting event to the Black River Trails and acknowledged the assistance of the many volunteers, including local Boy Scout groups, the County of Morris, the Home Depot, and the DiDomenico family.

Mayor Hall also said that Olde Suckasunny Day went well.

Mayor Hall asked about the status of the issue regarding the residents from Auriemma Court regarding their assessed property values. Mr. Raths replied that the property owners were going through the regular appeals process as required by law.

Mr. Raths informed that Kenvil resident, Cliff Reed, had contacted him and asked that Council be reminded that September 12, 2012 marks the seventy-second anniversary of the tragic Hercules explosion.

Mr. Raths provided Council with personnel updates:

- Lauren Hepplewhite from the Recreation Department: accepted another job and gave two-week's notice. Mr. Raths acknowledged her many contributions and growth over the years as an employee of the Township and wished her well and noted she will be missed.
- Tina Karnitsky: new part-time employee working in the front office; doing an excellent job

Mrs. Rhead informed Council that:

- Responses are due for New Jersey League of Municipalities Annual Conference attendees
- dates for 2013 Township Calendar meetings would need to be finalized at the next Council meeting
- Neighborhood Meeting flyers would no longer be allowed to be printed and sent home in student's backpacks, as the Board of Education has started using an electronic "virtual backpack" notification/information system.
- notification had been received that a public hearing was scheduled for October 16, 2012 at 7:30 p.m. in the Ledgewood Baptist Church regarding the application for the Ledgewood Historic District to be considered by the New Jersey State Review Board for Historic Sites for nomination to the New Jersey and National Registers of Historic Places. A member of the New Jersey Historic Preservation Office will be on hand to answer questions.

B. New Business/Old Business

1. Access Agreement – Strategic Environmental Partners/Fenimore – *previously addressed*

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

- A. Blue Vista** – *previously addressed*
- B. Health Insurance Review/Recommendations** – *previously addressed*
- C. Landing Road Bridge Transportation Funding** – *previously addressed*
- D. Police Education Requirements** – *previously addressed*
- E. Shared Service – Joint Purchase of Paving Machine** – *previously addressed*

INTRODUCTION OF PROPOSED ORDINANCES

None

HEARING AND ADOPTION OF ORDINANCES ON SECOND READING

None

INTRODUCTION AND ADOPTION OF RESOLUTIONS

2012-278 A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:

2012-279, 2012-280, 2012-281, 2012-282, 2012-283, 2012-284, 2012-285, 2012-286, 2012-287, 2012-288, 2012-289, 2012-290, 2012-292, 2012-293, 2012-294, 2012-295, 2012-296, 2012-297

Due to concerns about unpredictable weather, Mr. Bucco informed Council that Mr. Raths had requested that Resolution No.2012-291, "A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO POLYLITE ROOFS AND DECKS, INC. FOR THE ROOF REPLACEMENT AT THE ROXBURY TOWNSHIP COMMUNITY CENTER", be pulled from the incorporating resolution. Staff will be looking into whether the contractor would honor the price if the start date is moved to April.

Councilman Rilee made a motion to adopt incorporating Resolution No.2012-278. 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.

- 2012-279** A RESOLUTION AUTHORIZING ACCEPTANCE OF GIFTS
- 2012-280** A RESOLUTION OF THE TOWNSHIP OF ROXBURY AUTHORIZING THE ASSESSOR AND SPECIAL TAX COUNSEL TO SETTLE CERTAIN APPEALS FILED AT THE COUNTY BOARD OF TAXATION AND THE TAX COURT OF NEW JERSEY
- 2012-281** A RESOLUTION SUPPORTING A-2681 AND OPPOSING A-2404 /S-1651 CONCERNING THE STATUTE OF LIMITATIONS ON CIVIL ACTIONS FOR SEXUAL ABUSE
- 2012-282** A RESOLUTION AUTHORIZING THE REFUND OF UNUSED ESCROW MONIES PREVIOUSLY DEPOSITED WITH THE TOWNSHIP OF ROXBURY FOR DEVELOPMENT MATTERS PURSUANT TO CHAPTER XIII (LAND USE) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY
- 2012-283** A RESOLUTION AUTHORIZING THE ANNUAL TAX SALE
- 2012-284** A RESOLUTION AUTHORIZING THE REFUND OF TAXES
- 2012-285** A RESOLUTION AUTHORIZING TAX COLLECTOR TO CHARGE \$25.00 FOR EACH OF TWO TAX SALE MAILINGS
- 2012-286** A RESOLUTION AUTHORIZING THE SALE OF A 1985 CHAMPION ROAD GRADER
- Mr. Bucco amended the second “WHEREAS” paragraph to read “WHEREAS, the sale of said property can be achieved through GovDeals under State of New Jersey, Contract A-70967 / T2581; and”. Additionally, Councilman Rilee requested that statements about accepting a lower price be excluded from future memos regarding auctions.
- 2012-287** A RESOLUTION AUTHORIZING THE REFUND OF UNUSED ENGINEERING INSPECTION FEES POSTED WITH THE TOWNSHIP IN CONNECTION WITH WORK PERFORMED IN ACCORDANCE WITH VARIOUS PROJECTS
- 2012-288** A RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED WITH THE TOWNSHIP OF ROXBURY IN CONNECTION WITH WORK PERFORMED AND ACCEPTED IN ACCORDANCE WITH VARIOUS TOWNSHIP RIGHT-OF-WAY EXCAVATION PERMITS
- 2012-289** A RESOLUTION APPROVING CHANGE ORDER NO.1 TO BELLO-GRANDE CONTRACTING, LLC FOR THE MAIN STREET STREETScape PROJECT – PHASE I
- 2012-290** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO ANDY MATT, INC. FOR THE SUCCASUNNA LAKE DREDGING PROJECT
- 2012-291** **PULLED** – A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO POLYLITE ROOFS AND DECKS, INC. FOR THE ROOF REPLACEMENT AT THE ROXBURY TOWNSHIP COMMUNITY CENTER
- 2012-292** A RESOLUTION APPROVING THE PAYMENT OF AN INVOICE THAT WAS AUTHORIZED BY THE INITIATING DEPARTMENT WITHOUT FIRST OBTAINING A PURCHASE ORDER

Mr. Bucco requested that the following paragraph be added to the resolution: “WHEREAS, the Township Council wishes to authorize the payment of the above-referenced invoice.” (directly preceding the “NOW, THEREFORE, BE IT RESOLVED”

paragraph). Council had no objections. Mr. Rath explained that, as a result of the new requisition policy, any department that submits a bill without first obtaining a requisition would be included on the “Bad Bill List” and would need to be approved via resolution in order for it to be paid. He further explained that this particular instance was the result of a deposition that was taken wherein the stenographer submitted an invoice for services rendered directly to the Finance Department (stenographers usually bill the attorney); because there was no requisition associated with the invoice, it landed on the “bad bill” list.

2012-293 A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR REIMBURSEMENT OF ELECTRIC AND SNOW REMOVAL WITH CEDARCREST PROPERTY MANAGEMENT (PONDSIDE MANOR AT ROXBURY CONDOMINIUM ASSOCIATION)

2012-294 A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS AND THE STATE OF NEW JERSEY AUTHORIZING THE APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SAFE CORRIDOR PROJECT

Mrs. Rhead advised that the grant application number in the body of the resolution needed to be corrected to reference “00058” instead of “00032”.

2012-295 A RESOLUTION AUTHORIZING CERTIFICATES OF EXEMPTION FOR MEMBERS OF THE ROXBURY TOWNSHIP FIRE DEPARTMENT

2012-296 A RESOLUTION AMENDING THE MEMBERSHIP OF THE TOWNSHIP FIRE DEPARTMENT

2012-297 A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

PERSONNEL CHANGES

None

COMMUNICATIONS

August 24, 2012 – *no discussion*

August 31, 2012 – *no discussion*

September 7, 2012

#4 Notifications from the following companies claiming that, pursuant to N.J.S.A. 54:4-1, Form PT-10 is no longer required to be filed and taxes are no longer required to be paid in 2013 on any personal property within the municipality:

- 1. Verizon New Jersey, Inc., from Richard Masching, Vice President-Taxes**
- 2. United Telephone Company of New Jersey (*Centurylink*), from Claire Chase, Manager, Property Tax (also attached for reference is a copy of a letter from the New Jersey Department of Treasury, Division of Taxation, to United Telephone Company of NJ, Inc. requesting their annual Form PT-10 submission)**

Councilman Zoschak asked if anyone wanted to discuss the above issue. There was no immediate response from Council.

#7 Correspondence from Governor Chris Christie, to Mayor Hall, dated August 10, 2012, re: Governor Christie’s budget analysis and “Jersey Comeback” survey

With Council input, Mayor Hall completed the survey and requested that Mrs. Rhead forward to the appropriate State representative.

PUBLIC PORTION

Robert Kluska

274 Emmans Road, Flanders

Mr. Kluska stated that it appeared that Blue Vista “dug themselves into a hole”. He wondered why the Council would even take the time to listen to their current proposal which would result in a loss of \$84,000 in property tax revenue. Council members explained that Blue Vista has the right to present their case and make a request. Mayor Hall noted that expanding land preservation initiatives is also a Township objective.

EXECUTIVE SESSION

2012-298 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. Attorney/Client Privilege** – services by Andy Matt
- 2. Attorney/Client Privilege** – Verizon Property Tax Issue
- 3. Litigation** – SEP v. Township of Roxbury, et.al.

At 10:30PM, Councilman Zoschak made a motion to adopt Resolution No.2012-298 for Executive Session. Councilman Rilee seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 7 to 0.

At 10:56PM, the Council returned to the open session of the meeting.

Mayor Hall amended the order of the agenda to allow for a vote on the following added-on resolution:

2012-299 A RESOLUTION OF THE TOWNSHIP OF ROXBURY, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT ACCEPTING THE DEFENSE OFFERED BY SELECTIVE INSURANCE COMPANY OF AMERICA IN THE MATTER ENTITLED "STRATEGIC ENVIRONMENTAL PARTNERS, L.L.C. V. STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, ET AL”

Councilman Zoschak made a motion to adopt Resolution No.2012-299. 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.

ADJOURNMENT

At 11:00PM, Councilman Zoschak made a motion to adjourn the meeting. Councilman Rilee 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 25, 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