

**March 20, 2012**

A Regular Meeting of the Township Council of the Township of Roxbury was held on March 20, 2012 at the Municipal Building located at 1715 Route 46 in Ledgewood, New Jersey at 7:30PM.

**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  
Mayor Fred Hall

**Absent:** Councilman Richard Zoschak

**Also Present:** Christopher Raths, Township Manager  
Anthony Bucco, Esq., Township Attorney  
Amy Rhead, Acting Township Clerk  
Kathy Florio, Administrative Aide

**Public:** approximately seven (7) members of the public were present; three (3) JCP&L employees; Mike Condon, Roxbury Register reporter

**Staff:** Richard Blood, Director, Department of Public Works  
Lisa Spring, CFO/Treasurer  
Patricia Reiche, Assistant to the CFO

**APPROVAL OF MINUTES**

January 2, 2012 – Reorganization Meeting  
February 7, 2012 – Regular Meeting

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

Councilman Rilee requested that Mrs. Rhead make the following corrections on the January 2, 2012 Reorganization Meeting minutes: page no.2, check for the correct spelling of last name of Parsippany School Board Member Lou Valori; and page no.6, insert the name of the correct person who seconded the motion.

	<b>January 2, 2012 Reorganization Meeting</b>	<b>February 7, 2012 Regular Meeting</b>
<b>Roll Call:</b>		
Councilman Behrens	Yes	Yes
Councilman Crowley	Yes	Yes
Deputy Mayor DeFillippo	Yes	Yes
Councilman Rilee	Yes	Yes
Councilman Schmidt	Yes	Yes
Mayor Hall	Yes	Yes

Motion carried 6 to 0.

**Mayor Hall amended the order of the agenda to address the “Old Business” items listed under REPORTS OF COUNCIL LIAISON REPRESENTATIVES, COUNCIL COMMITTEES AND NEW BUSINESS/OLD BUSINESS**

**Access Agreement – Strategic Environmental Partners**

Mr Raths reported that the Township had succeeded in preparing and delivering all permit applications to the NJDEP. Mr. Raths commended Mr. Kobylarz and his staff for completing the process in an extraordinarily short amount of time. Mayor Hall also applauded the tremendous efforts of the staff.

**Andre Drive**

Mr. Raths reported that he, Mr. Blood, Mr. Kobylarz and Councilman Schmidt met with all but one of the residents from Andre Drive who have been complaining about flooding issues on their properties. Mr. Raths said that it appears that around 1970, the Township may have participated in the construction of the drainage system that is now causing a problem for some Andre Drive properties. Mr. Raths said that efforts are ongoing to assist the neighbors in finding a satisfactory resolution to the problem with the possibility of the installation of an alternate drainage system. He noted that proper easements and right-of-ways would need to be obtained. Mr. Raths informed Council that if it is determined that the Township, in fact did participate in the construction of the drainage system, there may be an element of shared responsibility in correcting the current issues. One suggestion was for the Township to supply the materials for the project. Mr. Blood was in the process of securing cost estimates just in case.

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

**RCB 5K**

Jim Schulz of Succasunna, Roxbury Community Benefit’s 5K Race Director and member of the Morris County Striders, summarized the RCB 5K event (previously know as the Merry Heart 5k) which has been an annual event in Roxbury since the mid-1990s with profits donated to local charities. He said that the profits from this race would be donated to Roxbury High School Project Graduation, Roxbury Fire Department and First Aid Squad, Roxbury Day Care Center, and Roxbury Kiwanis Scholarship Fund. He stated that approval had already been obtained from the Roxbury Board of Education for use of the Eisenhower School and Roxbury Police Department regarding changing the course. Mr. Schulz requested Council approval for the event to take place on June 11, 2012.

Councilman Rilee made a motion to approve the RCB 5K Race for June 11, 2012. Councilman Schmidt seconded the motion.

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

Motion carried 6 to 0.

**St. Therese Summer Kick-Off Carnival 2012: June 6<sup>th</sup> – 9<sup>th</sup>**

Councilman Schmidt made a motion to approve St. Therese’s carnival request for the above listed dates. Councilman Rilee seconded the motion.

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

Motion carried 6 to 0.

## **JCP&L – John Anderson**

JCP&L representatives John Anderson, Richard King and Seth Taylor were in attendance and spoke about operations and reliability issues in the Roxbury community and surrounding areas. Areas that experience the most outages were defined, and plans for mitigating future outages were discussed. Other discussion items included:

### Maintenance:

Mayor Hall asked if tree trimming efforts could be accelerated in Roxbury to minimize outages caused by trees; Mr. Anderson explained that maintenance is based on a four year cycle. Mr. Anderson said that attempts are made to manage maintenance issues closest to the sub-stations.

### Proactive vs. reactive approach:

Councilman Behrens suggested that JCP&L implement a more proactive approach to addressing potential problems. Mayor Hall suggested that equipment be placed on the poles that report back to the substations about outages and potential outages as opposed to the current system of receiving notification via phone calls from JCP&L users.

### Ability to identify problems:

Councilman Crowley asked if JCP&L could spot a ground fault from the substation. Mr. Anderson replied in the negative. Councilman Crowley pointed out that there are underground wires in his neighborhood and they experience excessive outages. Deputy Mayor DeFillippo spoke about frequent temporary outages in her neighborhood.

### Critical care customers and security protocol:

Councilman Crowley asked if the Roxbury Office of Emergency Management was privy to information about which substations control each street. Mr. Anderson replied that security protocol prohibits that information to be shared. Mayor Hall asked for repairs to be prioritized based on needs (i.e.: senior citizens and the nursing homes). Mr. Rath stated that JCP&L is aware of high priority areas in Roxbury, such as senior citizen locations and nursing homes. Mr. Anderson said that JCP&L has a questionnaire that can be completed and submitted for those customers who require critical and/or immediate care. Mr. Anderson said that he would speak with Mr. Rath about adding the registration link to the Township website.

### Load calculations/usage:

Further information was presented regarding the amount of service that feeds into an area being based on load calculations and proper fuse coordination efforts. It was noted that load is based on usage, not the number of homes.

### Other:

Deputy Mayor Hall mentioned that a pole had been replaced during last storm, but the damaged pole had been cut up and left on Deer Place. Mr. Anderson said he would look into the situation and have the debris removed.

## **RoxPAC Lease**

Mayor Hall reported that Investors Bank had requested to extend the term on the current Naming Rights Agreement by five (5) years. He also said that the Bank offered to donate \$25,000.00 to RoxPac if the agreement could be extended. Mr. Bucco explained that the lease agreement does not have a provision specifically allowing for an extension, but he could modify the terms by amending the agreement or providing an addendum to amend it, if Council so wished.

Councilman Rilee made a motion to direct Mr. Bucco to proceed with amending the Naming Rights Agreement to extend the term for five additional years at the recommendation of the Roxbury Arts Alliance and conditional upon Investors Bank's \$25,000.00 contribution to RoxPac. Councilman Behrens seconded the motion.

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

Motion carried 5 to 0 with one abstention.

**Mayor Hall continued amending the order of the agenda to allow for the first Public Portion.**

**Ralph Nappi  
29 Ford Road, Landing**

Mr. Nappi asked for an update on the status of cleaning up the Tom's Diner property. Mr. Rath's replied attempts to contact the property owner to set up a meeting are ongoing.

Mr. Nappi asked when the Township's organizational chart was last updated. Mr. Rath's responded that it was last updated in 2008. Mayor Hall asked Mr. Rath's to update the municipal organizational chart and provide a copy to public.

Mr. Nappi also asked why there was no breakdown in Senior Citizen Club budget. Mrs. Spring said that she would provide the breakdown to Mr. Nappi.

**Mayor Hall closed the Public Portion**

**Mayor Hall returned to the order of the agenda.**

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

Councilman Schmidt reported that the Community Garden would be opening on April 1, 2012.

Councilman Behrens informed Council members about a family of Roxbury residents who recently attended the Seniors Meeting and offered to provide free services to seniors. He said he would provide detailed information to Mr. Rath's.

Deputy Mayor DeFillippo announced that the next Neighborhood Meeting would be held on Thursday, March 29, 2012 at 7:00 p.m. at RoxPac.

Deputy Mayor DeFillippo reported that Christine Houtz had volunteered to organize and oversee the Memorial Day Parade.

Deputy Mayor DeFillippo reported that she, Mayor Hall, and the Trails Committee had visited the proposed Black River Trail connection location and said they were pleased with the property choice.

Mayor Hall announced that the annual Easter Egg Hunt would be held on Saturday, March 24, 2012, at 2:00 p.m. at Horseshoe Lake.

Mr. Rath's informed Council that he would be out of town from Tuesday until the following Monday.

**A. New Business – none**

**B. Old Business**

- 1. Access Agreement – Strategic Environmental Partners – previously addressed**
- 2. Andre Drive – previously addressed**

**C. Presentations – none**

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

1. **RCB 5K** – *previously addressed*
2. **St. Therese Summer Kick-Off Carnival 2012: June 6<sup>th</sup>-9<sup>th</sup>** – *previously addressed*
3. **RoxPAC Lease** – *previously addressed*
4. **JCP&L – John Anderson** – *previously addressed*

**PUBLIC PORTION** – *previously addressed*

**DRAFT ORDINANCES FOR DISCUSSION**

None

**INTRODUCTION OF PROPOSED ORDINANCES**

**07-12**        **TABLED** – AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XIII, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY, LAND DEVELOPMENT ORDINANCE, ARTICLE VII, ZONING REGULATIONS BY INCLUSION OF A NEW SECTION 13-7.901G, ENTITLED “THE KEEPING OF CHICKENS ON RESIDENTIAL LOTS LESS THAN 5 ACRES”

Mr. Bucco asked that this ordinance be tabled until additional research has been completed.

**08-12**        AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 4401, LOT 30, LOCATED AT 12 TAMARACK DRIVE, IN THE TOWNSHIP OF ROXBURY, COUNTY OF MORRIS AND STATE OF NEW JERSEY

Councilman Crowley asked about the \$20,000.00 amount. Mr. Bucco and Mr. Rath advised that the purchase price of the property is \$1.00; and, although the cost of inspections is not expected to reach a cost of \$20,000.00, the ordinance was written to allow a maximum amount that was not to be exceeded. Mayor Hall also pointed out that the acquisition was part of a deal with the Roxbury Water Company.

Councilman Rilee made a motion to approve the introduction of Ordinance No.08-12. Councilman Schmidt seconded the motion.

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

Motion carried 6 to 0.

**09-12**        CAPITAL ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AND TO APPROPRIATE THE SUM OF \$3,034,268 FROM TRUST FUND MONEYS OF THE TOWNSHIP, VARIOUS GRANTS, THE CAPITAL IMPROVEMENT FUND AND CAPITAL SURPLUS TO PAY THE COST THEREOF

Councilman Rilee made a motion to approve the introduction of Ordinance No.09-12.  
Councilman Schmidt seconded the motion.

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

Motion carried 6 to 0.

**10-12**                      BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS WATER SYSTEM IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE WATER UTILITY OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$183,000 TO PAY THE COST THEREOF, TO APPROPRIATE WATER UTILITY CAPITAL SURPLUS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

Councilman Rilee made a motion to approve the introduction of Ordinance No.10-12.  
Councilman Schmidt seconded the motion.

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

Motion carried 6 to 0.

**11-12**                      CAPITAL ORDINANCE OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS SANITARY SEWER SYSTEM IMPROVEMENTS IN, BY AND FOR THE SEWER UTILITY OF THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$775,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM SEWER UTILITY CAPITAL SURPLUS AND THE SEWER UTILITY CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP

Deputy Mayor DeFillippo made a motion to approve the introduction of Ordinance No.11-12. Councilman Behrens seconded the motion.

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

Motion carried 6 to 0.

**HEARING AND ADOPTION OF ORDINANCES ON SECOND READING**  
**02-12**                      AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC, SECTION 7-11, SPEED LIMITS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY, COUNTY OF MORRIS, STATE OF NEW JERSEY

Councilman Behrens made a motion to open Ordinance No.02-12 to the public.  
Councilman Schmidt seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

*Public Comment – none*

Councilman Rilee made a motion to close Ordinance No.02-12 to the public.  
Councilman Schmidt seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

Deputy Mayor DeFillippo made a motion to adopt Ordinance No.02-12. Councilman Behrens seconded the motion.

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

Motion carried 6 to 0.

**03-12**                      CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE  
   MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
   ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Councilman Rilee made a motion to open Ordinance No.03-12 to the public.  
Councilman Schmidt seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

*Public Comment – none*

Councilman Rilee made a motion to close Ordinance No.03-12 to the public.  
Councilman Schmidt seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

Councilman Rilee made a motion to adopt Ordinance No.03-12. Councilman Schmidt seconded the motion.

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

Motion carried 6 to 0.

**04-12**                      AN ORDINANCE TO VACATE A DRAINAGE EASEMENT  
   ACROSS A PORTION OF LOT 2 IN BLOCK 11302 LOCATED IN  
   THE TOWNSHIP OF ROXBURY, COUNTY OF MORRIS AND  
   STATE OF NEW JERSEY

Deputy Mayor DeFillippo made a motion to open Ordinance No.04-12 to the public. Councilman Rilee seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

*Public Comment – none*

Councilman Rilee made a motion to close Ordinance No.04-12 to the public. Deputy Mayor DeFillippo seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

Deputy Mayor DeFillippo made a motion to adopt Ordinance No.04-12. Councilman Crowley seconded the motion.

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

Motion carried 6 to 0.

**05-12**                      AN ORDINANCE TO AMEND CHAPTER XIII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY, LAND DEVELOPMENT ORDINANCE, ARTICLE VII, ZONING REGULATIONS, SECTION 13-7.4, ZONE DISTRICTS, SECTION 13-7.5, ZONING MAP, AND SECTION 13-7.8, GENERAL PROVISIONS FOR ALL ZONES, SUBSECTION 13-7.815, PROHIBITED USES, PARAGRAPH A, AND TO SUPPLEMENT ARTICLE VII, ZONING REGULATIONS BY INCLUSION OF A NEW SECTION 13-7.37, Q-O QUARRY OVERLAY DISTRICT

Mr. Bucco advised the Council that the public hearing for Ordinance No.05-12 needed to be tabled to April 10, 2012 to allow for adequate public notification.

Councilman Schmidt made a motion to open Ordinance No.05-12 to the public. Deputy Mayor DeFillippo seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

Councilman Rilee made a motion to table Ordinance No.05-12 until April 10, 2012. Councilman Behrens seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

**06-12**                      AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XIII, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY, LAND DEVELOPMENT ORDINANCE, ARTICLE VII, ZONING REGULATIONS BY INCLUSION OF A NEW SECTION 13-7.38, ENTITLED “SOLAR ENERGY FACILITIES”



Deputy Mayor DeFillippo asked if the correspondence from Mike Pellek should be further considered before passing Ordinance No.06-12. Mr. Raths stated that he would discuss the topic further with the Mr. Stern, Township Planner, and report back to Council.

Councilman Behrens made a motion to open Ordinance No.06-12 to the public. Deputy Mayor DeFillippo seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

*Public Comment – none*

Councilman Behrens made a motion to close Ordinance No.06-12 to the public. Councilman Rilee seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

Councilman Behrens made a motion to adopt Ordinance No.06-12. Deputy Mayor DeFillippo seconded the motion.

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

Motion carried 6 to 0.

#### **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**2012-85** A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:

2012-86, 2012-87, 2012-88, 2012-89,  
2012-90, 2012-91, 2012-92, 2012-93

Councilman Schmidt made a motion to adopt incorporating Resolution No.2012-85. Deputy Mayor DeFillippo seconded the motion.

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

Motion carried 6 to 0.

**2012-86** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO HIGH GRADE CONTRACTING FOR THE REPLACEMENT OF THE ROOF AT CENTER STREET WELL NO.12 WELL HOUSE FOR THE WATER UTILITY

**2012-87** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO CORROSION CONTROL CORPORATION FOR THE PREPARATION AND PAINTING OF A PORTION OF THE 0.10 MG BENSEL DRIVE WATER STORAGE TANK FOR THE WATER UTILITY

Deputy Mayor DeFillippo asked why the resolution was on the agenda since it only had one bid response and the Council had requested that contracts only be awarded if a minimum of three bids have been received. Mr. Rath replied this is a specialty service and that he and the Township Engineer, Mr. Kobylarz, have been seeking alternate bids for several months to no avail.

- 2012-88** A RESOLUTION DENYING THE RELEASE OF THE PERFORMANCE GUARANTEE FOR SITE IMPROVEMENTS FOR THE DEVELOPMENT KNOWN AS DEER VIEW ESTATES, LLC BLOCK 401, LOT 11
- 2012-89** A RESOLUTION AUTHORIZING THE TOWNSHIP TO APPLY TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE 2011 RECYCLING TONNAGE GRANT
- 2012-90** A RESOLUTION AMENDING THE MEMBERSHIP OF THE TOWNSHIP FIRE DEPARTMENT
- 2012-91** A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS
- 2012-92** A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO KELLER & KIRKPATRICK, INC. FOR PROFESSIONAL ENGINEERING AND SURVEYING SERVICES FOR THE FENIMORE LANDFILL ACCESS ROAD THROUGH BLOCK 7501, LOT 11; BLOCK 8501 LOT 5
- 2012-93** A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS  
Councilman Behrens asked why check #70143 was charged to two separate categories. Mrs. Spring responded that the software combines the checks when multiple payments are issued to the same vendor.

#### **INTRODUCTION OF 2012 BUDGET**

**2012-94 MUNICIPAL BUDGET NOTICE**

Mr. Rath said the budget came in \$800,000.00 below the cap. He said that over the past five years, Roxbury's total salary and wages have decreased by about a million dollars, the pension and state obligations have increased by about two million dollars, and health insurance costs have increased approximately two and a half million dollars. Mr. Rath spoke about Roxbury being one of the first municipalities to initiate employee contributions for health care benefits. He reported that the 2012 budget introduction is \$28,093,000.00, which is an increase of .62% from the 2011 adopted budget. Mr. Rath commended the staff for doing more with less and thanked Lisa Spring, Patty Reiche, Department Heads and Mayor and Council for all their effort and assistance during the budget process. Mayor Hall and Council members thanked Mr. Rath for his hard work. Deputy Mayor DeFillippo asked Mr. Rath to state for the record what items are outside the 2% budget cap. Mr. Rath responded that reserve for uncollected taxes, pension costs and a portion of health insurance expenses are among items that are outside of the cap.

Councilman Rilee made a motion to approve the Introduction of the Budget Notice via Resolution No.2012-94. Councilman Schmidt seconded the motion.

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

Motion carried 6 to 0.

**PERSONNEL CHANGES**

None

**COMMUNICATIONS**

March 16, 2012

Councilman Schmidt made a motion to file Communications for March 16, 2012. Councilman Rilee seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried 6 to 0.

**PUBLIC PORTION**

None

**EXECUTIVE SESSION**

**2012-95** 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

Matters related to:

- 1. **Attorney Client Privilege** – Hercules
- 2. **Contract Negotiations** – former Fenimore Landfill site

At 9:25PM, Councilman Rilee made a motion to adopt Resolution No.2012-95 for Executive Session. Councilman Schmidt seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

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

**ADJOURNMENT**

At 10:10PM, Councilman Crowley made a motion to adjourn the meeting. Councilman Behrens seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 6 to 0.

Submitted By:

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Amy E. Rhead  
Township Clerk

**MINUTES APPROVED BY COUNCIL**

**DATE:** October 9, 2012

**ROLL CALL:** Councilman Behrens – Yes  
 Councilman Crowley – Yes  
 Councilman Schmidt – Yes  
 Councilman Zoschak – Abstain  
 Mayor Hall – Yes