

**September 25, 2012**

A Regular Meeting was held by the Township Council of the Township of Roxbury on September 25, 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 (7:35 p.m. arrival)  
Councilman Jim Rilee  
Councilman Martin Schmidt  
Councilman Richard Zoschak  
Mayor Fred Hall

**Absent:** None

**Also Present:** Christopher Raths, Township Manager  
Anthony M. Bucco, Township Attorney  
Amy Rhead, Township Clerk

**Staff:** None

**Public:** approximately eight (8) members of the public were in attendance

**PRESENTATIONS, AWARDS, ETC**

None

**APPROVAL OF MINUTES**

August 7, 2012 – Regular Meeting  
September 11, 2012 – Regular Meeting

Deputy Mayor DeFillippo requested changes to the wording of her comments on page 6 of the September 11, 2012 minutes made in regard to the Blue Vista presentation. Council members had no objections to the changes.

Councilman Zoschak made a motion to approve the above-listed minutes with the amendments requested by Deputy Mayor DeFillippo on the September 11, 2012 Regular Minutes. Councilman Schmidt seconded the motion.

<b>Roll Call:</b>	<b>August 7, 2012 Regular Meeting</b>	<b>September 11, 2012 Regular Meeting</b>
Councilman Behrens	Yes	Yes
Councilman Crowley	Yes	Yes
Deputy Mayor DeFillippo	Abstain	Yes
Councilman Rilee	Yes	Yes
Councilman Schmidt	Yes	Yes
Councilman Zoschak	Yes	Yes
Mayor Hall	Yes	Yes
	Motion carried 6 to 0 with one abstention.	Motion carried 7 to 0.

**Mayor Hall amended the order of the agenda to allow for discussion of the item listed as item #1, subcategory “B. New Business/Old Business” under the heading of “REPORTS OF COUNCIL LIAISON REPRESENTATIVES, COUNCIL COMMITTEES AND NEW BUSINESS/OLD BUSINESS”**

**Access Agreement – Strategic Environmental Partners/Fenimore**

Mr. Bucco reported that the NJDEP has reviewed the Draft Agreement and is satisfied with it. The Agreement was emailed today to the two attorneys for Strategic Environmental Partners for their review and a copy was provided to the NJDEP. He said that he also requested that the NJDEP inform the Township immediately if they believe additional permits may be required in order to commence construction of the road. He requested that all parties expedite their review process in order to proceed as soon as possible.

Mr. Bucco verified that, as far he knows, all involved parties are in possession of all necessary documents that are needed to construct the access road. However, Mr. Rath provided the following updates:

- NJDOT detour plans for Main Street: had been submitted by the Township on September 6, 2012; the NJDOT requested revisions on Friday and revised sheets were submitted by the Township to the NJDOT today
- Morris County Soil Conservation District: requested the submission of the amended plan; it has been submitted
- NJDEP Revised Application: has been resubmitted with new cost estimates (originally submitted on September 5, 2012)
- NJDEP Revised Permitted Plans: resubmitted to the NJDEP on September 25, 2012
- NJDEP notified the Township last week that construction drawings, which had not been previously requested, are now needed in order for them to verify the use of the closure fund. Mr. Rath said that he was told that the request for the drawings would not hold up the permitting and that permits could be issued at any time. He said the requested construction documents would be in the NJDEP’s possession on Friday along with another revised cost estimate due to additional items they are now requiring, such as culvert construction
- Methane Testing: results not yet available from the methane testing that was conducted on Township-owned properties last week
- Asbestos testing: Mr. Rath reported that he had sent several emails to the NJDEP requesting an update on what they are doing about the asbestos that had been found at the landfill site several weeks ago and the status of the monitoring program that the SEP was supposed to install. The email response received today from Bob Confers of the NJDEP read as follows: “Chris, I’m looking into this. I have not seen a report of the findings, yet. As soon as they are made available, we will certainly get to that.” Even though the NJDEP required the asbestos monitoring program to be put in place, they have no confirmation that it has taken place.
- Truck accident: on September 20, 2012, a truck flipped over on its way to the landfill at Exit 27A on Rt. 80.
  - police asked for materials to be tested; no verification that it will be tested
  - whole tires were found in the debris, which is not allowed; the NJDEP has been notified of the finding
  - weight and bill of lading information is unknown
- Court Hearing: no information
- Complaint from Canal Street residents: response to be sent to them this week; Lt. Palanchi will be meeting with them, as well.
- Complaint from Main Street residents: Mr. Rath said he had visited them and provided some information to them

Deputy Mayor DeFillippo asked if the Township has received any reports regarding the dates of the NJDEP surprise inspections and the results of the inspections. Mrs. Rhead said that she has not submitted any additional OPRA requests, but that she has

viewed that information online in the past. Deputy Mayor DeFillippo requested that the information be obtained so that she can see how often the inspections are occurring.

Councilman Crowley asked if the bill of lading from the first truck accident was ever received. Mr. Rath responded that it had not been received and that he had been told that the truck was traveling without the required paperwork.

Councilman Rilee asked why the NJDEP has not stepped in to address the violations that are not related to the Administrative Consent Order issues and the court case. He said it seems like the NJDEP has stepped back from these issues. Mayor Hall, Councilman Rilee and Mr. Bucco discussed the need to set up another face-to-face meeting with representatives in Trenton. It was decided to request a meeting with the Governor's Chief of Staff this time.

Councilman Crowley asked if Phase II of the Landfill Project had been started. Mr. Bucco said that he has been told that Phase II has not been started; they are still in Phase I. Mr. Bucco further stated that he was informed by the Deputy Attorney General's Office, representing the NJDEP, that SEP cannot start Phase II until it is authorized.

Mr. Bucco said that he had spoken to them about the exact same issues that were brought up by Councilman Rilee. He said that he had suggested to the NJDEP that they consider taking action in the chancery division regarding the items outside the ACO, but they felt their concerns would fall on deaf ears and that the judge would not shut them down. For the record, Councilman Rilee said the NJDEP was disregarding the issues by failing to address them and that they themselves are the "deaf ears".

Mr. Bucco said that the Township is not currently in the case because the judge never signed the Order to Show Cause based on the complaint that was filed regarding the State Police stopping trucks on their way into the landfill. He said he has never seen a situation before where one party files an Order to Show Cause in a complaint and serves everybody else, letting them know it's been filed, and in two and a half months, the judge has never signed the order or had a hearing. Councilman Rilee felt the Township should attempt to obtain results from someone above the judge since she has not done anything.

Mr. Bucco informed Council that the NJDEP had moved forward by requesting a hearing with the Office of Administrative Law which is better equipped to deal with regulatory issues such as financial ability and escrow accounts. He said that the NJDEP's request for an expedited hearing was denied by the Administrative Law judge, but believes it is scheduled for December.

Deputy Mayor DeFillippo asked why the NJDEP has not gone back to the Superior Court judge with additional documentation to support their case. Mr. Bucco said they have chosen not to because they felt that the judge would only reject them again which would reflect poorly and have a negative affect on their Administrative Law case.

Mr. Bucco confirmed that, even though the judge had directed SEP to submit further documentation, she has not done anything about the fact that they submitted additional paperwork that was just as incomplete as their original submission. Mr. Bucco also informed Council that the NJDEP responded by sending a letter to the court objecting to the SEP submission and stating that it did not meet the requirements of the regulations or the requirements set forth in her order. The NJDEP has not received a response to their letter.

Mayor Hall summarized the situation by breaking it into three areas:

1. Court Action:
  - a. the injunction and what happened with the injunction
  - b. the request for additional information that was received incompletely; no action even though insufficient

- c. NJDEP is now waiting for the hearing before the Office of Administrative Law, scheduled for December
2. Enforcement:
    - a. SEP is failing to comply with the rules (i.e.: asbestos, whole tires in their loads, exceeding weight-limit regulations, nonexistent bill of ladings, unidentifiable fill content, etc.)
    - b. NJDEP is not enforcing the rules and regulations
  3. Alternate Access Route:
    - a. although the Township continues to attempt to provide all the required paperwork, the NJDEP continues to add new requirements

Councilman Crowley asked if the Township has a right-of way into the existing landfill. Mr. Rath responded in the negative. Councilman Rilee asked if Ray Cantor has been involved with this project. Mr. Rath did not know if he had or not.

Mr. Rath detailed the revisions that are needed to the construction drawings due to NJDEP requirements regarding the construction of culverts.

Mayor Hall returned to the order of the agenda

## **PUBLIC PORTION**

**Anthony Fiore**

**70 Fox Chase Lane, Ledgewood**

Mr. Fiore asked for an update on the status of previous requests to modify the school bus routes. Mr. Rath said that the police asked the school district representatives to consider amending the bus routes, but the school's Transportation Director does not feel that any changes are warranted. Council members suggested that residents voice their concerns about the bus routes directly to the Board of Education. Councilman Behrens announced that the next Board meeting is scheduled to be held on Monday, October 1, 2012 at 7:30PM.

Mr. Fiore asked Mayor Hall to clarify his previous comments about asbestos, particularly the number of incidences of it being present. Mayor Hall explained that the first situation he was referring to was when the asbestos was identified during a random sampling conducted by the NJDEP within truck contents and fill located on the site. Mayor Hall said that the other reference was to the second truck accident at exit 27A in which whole, not chipped, tires were found. Mayor Hall said that Mr. Rath requested that the contents be tested, but it is unknown whether or not testing will be actually take place.

Mr. Bucco asked if there was any evidence of asbestos in the debris from the truck accident. Mr. Rath responded that, besides the whole tires, the spilled material consisted of finely ground material. Mr. Bucco said that it is usually very apparent if asbestos is present. Councilman Zoschak disagreed and said that the material is usually shredded to a point that the presence of asbestos would not be visually obvious.

Mr. Fiore asked if the testing results had been received on original truck that rolled over on Mountain Road.

Mr. Fiore requested that the municipality discuss the alternate access road plan when the next meeting in Trenton takes place.

Mayor Hall said that they would.

Mr. Fiore said that he had contacted the EPA and received a response stating that the agency has no resources and cannot assist.

**Diane O'Neill**

**217 Mooney Road, Flanders**

Mrs. O'Neill stated that she had witnessed a truck full of whole tires being dumped at the landfill during the start of the project.

Mrs. O'Neill asked for an explanation of the asbestos remediation process and stated that she feels they are just covering it up.

**Dennis Wine**

**4 Holly Drive, Succasunna**

Mr. Wine questioned, Best Practices – why hasn't the Pay-to-Play ordinance been adopted? Mr. Bucco said it is odd that the state puts this on the Best Practices because the Pay-to-Play requirements are statutory. Mr. Bucco advised that municipalities can adopt an ordinance to be more stringent if it wants to.

Mr. Wine asked if the Township of Roxbury requires elected officials to attend classes. Mr. Bucco and Mr. Raths responded that the elected officials do attend classes but there is no rule in place to require such activity. There would be no way to remove an elected official from office if he or she did not attend classes therefore to create a rule would be a waste of time and effort.

The Snow Fund was questioned by Mr. Wine regarding the ability to bank left over funds for the next year. This ordinance is on the agenda for tonight's meeting.

Mr. Wine wondered how the reassessment process was implemented. He thought we were in a revaluation process. Mr. Raths explained that we are not in the process of revaluing, that is mandated by the county.

2012-302 Private Court Collection – rules established by state and were explained to Mr. Wine by Mr. Raths as very narrow and limited to those who have not complied after several orders. It is a small percentage of debt that falls into this category.

Mr. Wine questioned the State Health benefits listed at the top of the page 63. He feels that it appears misleading. Mr. Raths explained that the Township of Roxbury cannot change the name or title of this resolution or any part thereof.

Mr. Wine asked for specifics regarding the health care plan for retirees. Mr. Raths stated there is no age requirement, only a total of 25 years of municipal service. This is only for health care benefits, not pension and there is no number of years of employment required with the Township of Roxbury specifically, just that they retire from municipal employment as an employee of the Township of Roxbury. Mr. Raths said the Township of Roxbury pays all the premiums we are responsible for under Chapter 48. The retiree pays the plan differential from the base plans to the other plan.

Deputy Mayor DeFillippo pointed out that Roxbury was the first, or one of the first, municipalities to require employee contributions in the state.

Mr. Wine cited Communications from September 14, 2012 regarding "West Nile" and questioned if any has turned up in Roxbury. Mr. Raths replied no cases to our knowledge.

Mr. Wine questioned the "base salary litigation" requirement topic in communications from September 21, 2012. Mr. Bucco explained it is a way to establish base salary as to how much a person needs to contribute towards their health benefits. Roxbury is in good standing.

**Ralph Nappi**

**29 Ford Road, Landing**

Mr. Nappi referred to the health insurance recommendations and asked why the list shows that Roxbury was eligible for dividends in 2010 but did not receive any. Roxbury had received dividends in prior years in the amounts of \$121,000 – \$123,000. Mr. Nappi questioned why the NJHIF did not receive dividend in 2010. Mr. Raths

explained that no members received dividends in 2010 within the NJHIF. The lack of payout was because the fund was not in financial shape to offer dividends in 2010.

Mr. Nappi inquired if Council members received coverage. Mayor Hall responded that some do and some don't. Mayor Hall said that it is their option to participate or not. There is a contribution requirement. Mr. Bucco said that only persons working 35 or more hours per week are now eligible, newly elected officials are no longer eligible to enroll, previously elected officials are grandfathered.

Mr. Nappi stated that Tom's Diner is owned by the Seretis family. He pointed out the Seretis family owns other restaurant establishments, the Jefferson Diner and T & J Tavern. Tom's Diner continues to be an eyesore. Mr. Rath said that they are current on their taxes. There is no maintenance code in Roxbury. Mr. Rath responded to the question of whether fines have ever been levied by explaining that each time there is a Notice of Violation (NOV), they abate the violation.

Mr. Rath said that he would send the Construction Official to see if it can be considered abandoned.

Mr. Nappi asked if the Township of Roxbury can bring litigation against the State of New Jersey regarding the Fenimore situation. Councilman Rilee answered in the affirmative but noted it would be ill advised and an uphill battle. It is Councilman Rilee's opinion that a litigation case would take just as long as the current avenue being pursued. It is still being contemplated as are several other avenues. Funding is a consideration. Mr. Nappi told all on the dais that they are doing a good job but, they have to do better.

Deputy Mayor DeFillippo pointed out that the Fenimore issues are not just a Mooney Mountain issue, this is a Township issue. All of the Township residents are affected and all of our tax money is fighting it. Councilman Zoschak and Mr. Nappi agreed.

#### **Anthony Fiore**

##### **70 Fox Chase Lane, Ledgewood**

Mr. Fiore informed Council that he frequents Veteran's Park and has noticed what he suspects to be illegal dumping of construction debris.

Mr. Rath said he will contact **BFIS**, who have been good neighbors, and will ask them to keep an eye open. He will also mention it to the police. He asked Mr. Fiore to email the location to him so that it can be cleaned up.

#### **Mayor Hall Closed the Public Portion**

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

#### **A. Reports of Council Liaison Representatives and Council Committees**

Councilman Zoschak stated the Lake Hopatcong Commission had a meeting on September 17<sup>th</sup>. He hopes to have funding by the end of the year. Weed harvesting machines have been pulled out of the water and stored for the winter. 1893 cubic yards of biomass has been removed from the lake. Greenwood Lake bottom portion has water chestnuts and is being addressed.

Councilman Zoschak stated that the Citizen Water Management Committee is looking to replace the representative currently serving due to his lack availability to attend meetings and adequately represent the needs of this community. Councilman Zoschak volunteered to act as the temporary representative until an adequate replacement can be found.

Councilman Rilee moved to appoint Councilman Zoschak as Citizen Water Management Committee member through the remainder of the year, 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.

Councilman Zoschak asked Mrs. Rhead to send a letter to the commission stating the change.

Councilman Rilee stated the Planning Board approved Wal-Mart to stay open 24 hours from Thanksgiving through 10:00pm Black Friday.

Councilman Behrens reported on the Board of Education meeting. He learned that Townships are responsible to educate school age incarcerated individuals until they graduate or reach the age of 22.

Councilman Behrens stated that the state is looking to revamp aide to school districts. The Abbott districts are 25 -30 points behind academically. The State is looking at new ways to collect student data and revamp how state aid is allocated as a result of the Abbott district numbers.

The energy audit is about 75% complete. A \$3000.00 grant from State Farm for a research based safe driving program is in place and a shared services meeting is being planned for next month.

Councilman Behrens deferred to Deputy Mayor DeFillippo to elaborate on the upcoming Neighborhood meeting on Thursday night and the Value This Antique Road Show.

Councilman Behrens addressed the Dog Park. He hasn't seen it being used. He asked if it is the location and if so, could it be moved to another location. Deputy Mayor DeFillippo said it is being used. Councilman Schmidt said that the preferred location would have been Horseshoe Lake, but there is no room there. Mayor Hall stated that there are multiple locations to go to with dogs in the Township. Councilman Schmidt agreed that it is being used and it's well-maintained. Mr. Raths will check on the user fees and look into promoting the park to attain better utilization of the park.

Councilman Behrens addressed the Delta gas station property and gas stations in general regarding the storage of vehicles at gas stations. Mr. Raths said the Zoning Officer used to compile a monthly Rt. 46 vehicle list. Councilman Zoschak feels that if Rt. 46 is addressed then all areas of the Township should be addressed otherwise the Township will be slapped with complaints about the Zoning Officer. Mr. Raths will ask for quarterly reports. Councilman Berhens commended the Zoning Officer for doing an "excellent job" and communicating what he does.

Councilman Crowley stated he will leave the Economic Development Committee meeting report and the Water and Sewer Committee meeting report for the Deputy Mayor to report on.

Councilman Crowley mentioned a previous discussion with Mr. Raths regarding the guardrails at Berkshire Valley. Mr. Raths stated the contractor is scheduled to return and correct this problem in two weeks.

Additionally Councilman Crowley pointed out a dangerous cross walk over Mt. Pleasant in Randolph. There is no paint, only a green turtle indicating a crosswalk. Mr. Raths has discussed this with Randolph and it should be corrected in the next two weeks.

Deputy Mayor DeFillippo addressed the previously discussed Dog Park issue suggesting promoting the park as a possible solution.

Deputy Mayor DeFillippo also noted since the Black River Trail has been manicured she has seen more people fishing.

Deputy Mayor DeFillippo thanked the Township of Roxbury staff for addressing the home in Landing for cleaning up the deceased woman's property to the joy of the neighbors.

The County Economic Development Committee has been conducting a business survey that will be available to Roxbury upon completion. Mr. & Mrs. Petillo attended the Economic Development Committee meeting last week and offered a wealth of knowledge to the committee.

Deputy Mayor DeFillippo addressed Water and Sewer regarding the RBC replacement. She said we are looking into asking a consultant to get suggestions how to speed up the process. There is a true concern about the wear and tear of the working RBC's and if they will hold up during the replacement timeline. Mr. Rath said that the municipality will be looking at low interest funding for sewer finance.

Deputy Mayor DeFillippo reminded residents and Council about the Neighborhood Meeting at the Fire House on Main Street in Succasunna at 7:00PM

Deputy Mayor DeFillippo noted "Value This" tickets for \$20.00 to receive an appraisal and \$5.00 to be in the audience are still available but going fast and it is a lot of fun!

Deputy Mayor DeFillippo pointed out the Chamber of Commerce and the Township of Roxbury are partnering for December 8<sup>th</sup> Santa Land at the Library. The Tree Lighting will be at Horseshoe Lake on the 7<sup>th</sup> of December at 6:30PM (*tenetivly*). The RoxPac will be performing a "Vagabond Family Christmas" over this same weekend.

Councilman Behrens noted that the King House will be opening on the 7<sup>th</sup> of December.

Mayor Hall commented on the upcoming events. Noting the 8:00 RoxPac event after the tree Lighting.

Mayor Hall will be at the 11<sup>th</sup> Hour Rescue "Pupfest" at Horseshoe Lake Park on the same day as Value This, September 29, 2012. Mr. Rath pointed out that Noah's Ark will be hosting their annual "Howl and Hike" event on October 14, 2012 and he will see that Mayor Hall gets the information about the event.

Mayor Hall and Council agreed the Rt. 10 project is moving along well and it will help the traffic flow tremendously on weekends and during the holidays.

Mayor Hall addressed The Berkshire Valley Recreation situation and directed Mr. Rath to have the guard rail installed. Mayor Hall wants to get it done, blacktop on the back of the building so it can begin to be utilized by Township residents for multi-purpose uses such as street hockey and tennis. Mr. Rath said the contractor is scheduled to begin the project in two weeks.

Mayor Hall reported that The Day of Remembrance on September 9, 2012 event went well and was attended by Deputy Mayor DeFillippo, Mayor Hall & Mr. Rath.

Mr. Rath stated the attendance records from committees have been supplied to the staff and the records are being compiled into a uniform report. Additionally Mr. Rath stated the Knights of Columbus remain interested in the Nutrition Center and a site visit is planned for next week.

## **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. Best Practices Checklist CY 2012**

Mr. Rath and Mrs. Rhead noted that this topic had been discussed at this meeting and Mrs. Rhead will certify paperwork stating that fact. This should show 86% completion of the Checklist CY 2012. Funding should be received again next year as a result of completion.

**B. Ledgewood Historic District**

Mariam Morris will be at the next meeting to discuss this matter regarding Township owned property prior to the “protective review” community meeting on October 16, 2012 at 7:30PM. Deputy Mayor will be in attendance as well as Mr. Rath.

**C. 2013 Calendar**

Discussion took place in regarding the 2013 Calendar and the following specific dates:

Easter Egg Hunt	March 16, 2013 ( <i>Rain Date March 23, 2013</i> )
National Volunteers Service Day	April 20, 2013
National Trails Day	June 1, 2013
BBQ Beach Blast	June 27, 2013
Make a Difference Day	October 19, 2013

Meeting Dates

January 3, 2013 – No Meeting

January 8, 2013 – Regular Meeting

January 15, 2013 – Budget Meeting

In addition, Deputy Mayor DeFillippo stated that she and Amy will work on the Neighborhood Meeting dates.

**INTRODUCTION OF PROPOSED ORDINANCES**

None

**HEARING AND ADOPTION OF ORDINANCES ON SECOND READING**

None

**INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**2012-300** A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:

2012-291, 2012-301, 2012-302, 2012-303, 2012-304,  
2012-305, 2012-306, 2012-307, 2012-308, 2012-309,  
2012-310, 2012-311, 2012-312

Councilman Rilee made a motion to adopt incorporating Resolution No.2012-300. Deputy Mayor DeFillippo 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.

**2012-291** RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO POLYLITE ROOFS AND DECKS, INC. FOR THE ROOF REPLACEMENT AT THE ROXBURY TOWNSHIP COMMUNITY CENTER

(NOTE: Resolution No. 2012-291 was tabled from September 11, 2012 Meeting)  
Discussion occurred regarding the large number of bids received. Councilman Schmidt asked for clarification on the budgeted amount for this contract. Mr. Rath stated it to be a total of \$450,000.00.

- 2012-301** A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO POLYLITE ROOF DECKS, LLC FOR THE ROOF REPLACEMENT AT THE ROXBURY COMMUNITY CENTER
- 2012-302** A RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING TO AWARD A CONTRACT AS A CONCESSION FOR THE PRIVATE COLLECTION OF DEBT FOR THE ROXBURY TOWNSHIP MUNICIPAL COURT
- 2012-303** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO JAN FENCE, INC. TO SUPPLY AND INSTALL PRIVACY LINK FENCING AROUND THE GENERATOR LOCATED AT TOWN HALL
- 2012-304** A RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR SNOW REMOVAL, PURSUANT TO P.L. 2001, C.138
- 2012-305** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO WATER RESOURCE SALES & SERVICE, LLC FOR THE PURCHASE OF FIFTY (50) E-ONE EXTREME SERIES GRINDER PUMP UNITS WITH CONVERSION KITS
- Councilman Zoschak asked if we received a discount for this purchase since the Township is purchasing so many. Mr. Rath responded about \$500.00 less per grinder pump. Mayor Hall asked if this was a yearly purchase. Mr. Rath reminded him that no, we had been repairing the twenty year old pumps annually but the pumps are at an age where it is time to replace them instead of repairing them.
- 2012-306** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO TILCON NEW YORK INCORPORATED FOR THE DELL AVENUE RECONSTRUCTION PROJECT – PHASE II
- 2012-307** A RESOLUTION AUTHORIZING A REFUND OF THE UNUSED ENGINEERING INSPECTION FEES TO SENECA HILLS CORP. FOR A PROJECT KNOWN AS 15 N HILLSIDE AVENUE, SUCCASUNNA, BLOCK 5203, LOT 50
- 2012-308** A RESOLUTION AUTHORIZING REFUND OF TAXES FOR A TOTALLY DISABLED VETERAN EXEMPTION
- 2012-309** A RESOLUTION TO ADOPT THE PROVISIONS OF CHAPTER 48 (N.J.S.A. 52:14.17.38) UNDER WHICH A PUBLIC EMPLOYER MAY AGREE TO PAY FOR THE STATE HEALTH BENEFITS PROGRAM (SHBP) AND/OR SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM (SEHBP) COVERAGE OF CERTAIN RETIREES
- 2012-310** A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE STATE HEALTH BENEFITS PROGRAM AND/OR SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM OF THE STATE OF NEW JERSEY
- Deputy Mayor DeFillippo felt satisfied with the quality of the insurance plan. Councilman Zoschak inquired as to the start date of the new insurance plan. Mr. Rath stated that it should be January but did not want to commit until the final numbers are supplied to the Township of Roxbury.
- 2012-311** A RESOLUTION TO ELECT A PREMIUM DELAY OPTION AS SELECTED BELOW
- 2012-312** A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

**PERSONNEL CHANGES**

None

**COMMUNICATIONS**

**September 14, 2012**

**September 21, 2012**

Councilman Rilee made a motion to file the Communications for the week ending September 14, 2012 and the week ending September 21, 2012. Councilman Schmidt seconded the motion.

Voice Vote: All in Favor – Yes

Motion Carried unanimously, 7 to 0.

**PUBLIC PORTION**

Dennis Wine

4 Holly Drive, Succasunna

Mr. Wine asked Councilman Rilee if the Planning Board had knowledge about the prospective use for the vacant area behind Wal-Mart. Councilman Rilee replied that the Planning Board does not always find out plans until they are presented and does not know of any plans for the area in question at this time.

**Ralph Nappi**

**29 Ford Road, Landing**

Mr. Nappi asked for clarification regarding the transfer of grinder pumps to property owners. Mr. Raths explained that ownership and maintenance of the pumps cannot be transferred to the residents. The pumps are considered part of the Township’s system and, by ordinance, are not transferable to the residents.

Mr. Nappi added, with all due respect to Mr. Behrens, that there are 346 participants in sports programs in the Roxbury school district.

Councilman Behrens explained to Mr. Nappi that he does his best to report back to the Council important points from the Board of Education meetings, not every item on the agenda.

**MAYOR HALL CLOSED THE PUBLIC PORTION**

**EXECUTIVE SESSION**

**2012-313 NOT USED - 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**

**ADJOURNMENT**

At 9:15 PM, Councilman Zoschak made a motion to adjourn the meeting. Councilman Schmidt seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried unanimously, 7 to 0.

Submitted By:

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Amy E. Rhead  
Township Clerk

**MINUTES APPROVED BY COUNCIL:**

**DATE:** January 8, 2013

**ROLL CALL:**

Councilman Behrens	-	Yes
Councilman Crowley	-	Yes
Deputy Mayor DeFillippo	-	Yes
Councilman Rilee	-	Yes
Councilman Schmidt	-	Yes
Councilman Zoschak	-	Yes
Mayor Hall	-	Yes