

**April 10, 2018**

A Regular Meeting was held by the Township Council of the Township of Roxbury on April 10, 2018 at the Municipal Building located at 1715 Route 46 in Ledgewood, New Jersey at 7:30PM.

**PLEDGE OF ALLEGIANCE**

Mayor Crowley led the 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 21, 2017, 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):** Councilwoman Jaki Albrecht, Deputy Mayor Robert DeFillippo, Councilman Fred Hall, Councilman Dan Kline, Councilman Jim Rilee, Councilman Richard Zoschak, Mayor Mark Crowley; **Absent:** None

**Also Present:** John Shepherd, Township Manager; Amy Rhead, Township Clerk; Anthony M. Bucco, Township Attorney;

**Staff:** Marc Palanchi, Chief of Police; Richard Blood, Public Works Director; Mark Caputo, Health Official; Radwa Ali, Library Director (8:50PM departure)

**Public:** approximately sixty-five (65) members of the public until the conclusion of Presentations, after which approximately fourteen (14) people remained; Mike Condon, Roxbury Register reporter; Fred Aun, TAPinto Roxbury reporter

**PRESENTATIONS, AWARDS, ETC.**

**A. Roxbury Recreation Competition Cheerleading Team – Recreation Level 1 National Champions at Spirit Brand Nationals**

Christine Annunziata, Head Coach, spoke of the team's accomplishments. Mayor Crowley presented each of the cheerleaders with a Certificate of Outstanding Achievement on behalf of the Council. Assemblyman Bucco presented each of the girls with a Joint Senate/Assembly Citation.

**At 7:41PM, Mayor Crowley allowed for a brief recess.**

**At 7:49PM, Mayor Crowley returned to the agenda.**

**Mayor Crowley amended the order of the agenda for the following:**

Mayor Crowley referenced a recent occurrence at the high school and commended Chief Palanchi and School Security for keeping Roxbury safe.

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

**APPROVAL OF MINUTES**

November 28, 2017 – Regular Meeting

Councilman Kline made a motion to approve the above-listed minutes. Councilman Zoschak seconded the motion.

Roll Call:	Councilwoman Albrecht – Yes	Deputy Mayor DeFillippo – Yes
	Councilman Hall – Yes	Councilman Kline – Yes
	Councilman Rilee – Yes	Councilman Zoschak – Yes
	Mayor Crowley – Yes	

Motion carried unanimously, 7 to 0.

**PUBLIC PORTION** (3 Minutes /1 Appearance per Individual)

**Larry Conover, 9 Moore Street, Ledgewood** – Mr. Conover asked about the revaluation process and the Fenimore Landfill site. Deputy Mayor DeFillippo spoke about the “How to Win a Tax Appeal” seminar.

**Robert Kluska, 274 Emmans Road, Flanders** – Mr. Kluska asked for clarification on Ordinance No. 05-18. Council members and Mr. Shepherd explained.

**Anthony Petridis, 84 Orben Drive, Landing** – Mr. Petridis spoke about JCP&L leaving unfinished work and downed wires along roadways. Mr. Shepherd will follow-up. Mr. Petridis spoke about a recurring, ongoing problem of discarded liquor bottles along Orben Drive. Council members discussed reaching out to community volunteer groups and/or SLAP to assist with collection of debris. Additional discussion with regard to potential ways perpetrator(s) might be identified.

**Seeing no further public comments, Mayor Crowley 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**

Councilwoman Albrecht credited a junior member of the Fire Department for the success of the Project Ring Fundraiser noting that profits were donated to Roxbury Social Services.

Councilwoman Albrecht reminded everyone of the upcoming Roxbury Public Library Indoor Mini-Golf event scheduled for April 14, 2018.

Councilman Hall spoke of the upcoming Raritan Headwaters 28th Stream Cleanup of the Black River on Saturday, April 14, 2018.

Councilman Hall asked for an update on the Bike Path repairs. Mr. Blood replied that the project will be completed in the spring when the contractor is in Roxbury doing roadwork.

Councilman Hall reported that the Recreation Advisory Committee will be seeking an opinion from Mr. Bucco as to the legality of implementing an ordinance that would assess fines to permitted park users for not cleaning up after their event.

Deputy Mayor DeFillippo informed Council that the new JCP&L area representative, Jacqueline Espinoza, called him to discuss issues and system glitches that added to the public’s dissatisfaction with their recent storm responses. Deputy Mayor DeFillippo advised that Ms. Espinoza will be attending an upcoming Council Meeting to address Roxbury’s concerns.

Councilman Rilee reported that training issues discussed at the recent Fire Chiefs meeting have been forwarded to Mr. Shepherd.

Councilman Rilee reminded everyone of the upcoming Fire Department Annual Dinner Dance scheduled for Saturday.

Councilman Rilee reported that recent COAH decisions may result in municipalities having to make amendments.

Councilman Zoschak said he witnessed someone throwing trash out of a car window and expressed his disdain of littering.

Councilman Zoschak reported that the Mt. Arlington Borough Council recently recognized Mike Mangano with a Certificate of Appreciation for serving as Scout Master of Troop 188 for several years.

Councilman Zoschak acknowledged Steve Chapkovich for 50 years as a member of the Roxbury Fire Department and expressed appreciation for the many volunteer hours he has dedicated to the community.

Councilman Zoschak congratulated Ashley Wyble, Sarah Horsman, Jeffrey Brodhecker and Jonathan Compana on the success of the recent Project Ring Fundraiser and thanked them for donating a portion of the profits to Roxbury Social Services.

Councilman Kline reported that he will be attending the Roxbury/Mount Arlington Consolidation Study Commission meeting on April 11, 2018.

Councilman Kline attended the Roxbury High School Indoor Percussion Ensemble Family and Friends Performance on Saturday. The group then went on to perform on Sunday at the State Competition placing second.

Mayor Crowley reported that weed harvesting was the main topic of conversation at the April 9th Lake Hopatcong Commission meeting. Mayor Crowley credited Senator Bucco and Assemblyman Bucco for their efforts in helping get the state to approve annual funding of \$500,000 dedicated to Lake Hopatcong.

Mayor Crowley reported that Miriam Morris presented the six to ten year plan of the Roxbury Historic Trust at the recent Open Space Advisory Committee meeting. Grant requests will be included on the next Council Agenda.

#### **B. New Business/Old Business**

None

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

#### **A. Economic Development Committee funding**

Mr. Shepherd spoke about the initial grant monies of \$22,000 for the startup of the EDC website. He requested Council's direction with regard to allocating the ongoing \$5,000 Cablevision revenue to the EDC. Deputy Mayor DeFillippo noted there has been a terrific return on the investment with the EDC. Council had no objection to reviewing EDC budgetary requests.

#### **B. Septic System Licensing Program**

Mark Caputo, Health Officer, reviewed the history of the 1993 ordinance that requires residents to obtain a 3-year municipal license upon the installation of a new septic system or repair of an existing one with renewal contingent upon proof that the system was pumped at least once during the license term. The fee was \$15 tri-annually, until 2010, at which time Roxbury increased it to \$50 to mirror Randolph's fee structure when the two municipalities entered into a Shared Services Agreement for the Health Officer position. Mr. Caputo advised that 242 of the 1143 septic systems within the Township are licensed. He attributed the disparity between licensed vs. unlicensed septic systems to the exemption given to existing systems when the ordinance was adopted (until or unless the system ever required repair). Mr. Caputo supported the continuation of the Township's existing program for reasons that included the following points:

- The recent agreement with the NJDEP for funding of water quality enhancements at Lake Hopatcong requires Roxbury to have a septic system program.
- Morris County has been investigating the feasibility of implementing a county-wide standardized regulatory structure for septic systems because, at some point, it is likely the NJDEP will mandate counties to have a standardized septic surveillance program in order to meet waste water management directives.
- Regulating the proper installation, continued functioning and maintenance of septic systems is important to the health and well-being of the public, environment and ground water.
- All township septic systems will eventually fall under Roxbury's current licensing program since all will fail or need repair at some point.

Mr. Shepherd and members of the Council discussed the following possible options:

- keep the licensing program in place with the current \$50 fee; or
- continue with the licensing program, but decrease the tri-annual fee; or

- discontinue the licensing program; or
- expand the licensing program to require licensing of all septic systems.

No final decision was made at this time.

**C. Federal Surplus Property Program**

Mr. Shepherd informed Council of legislation enacted in 2015 that permits municipalities to participate in the Federal Surplus Property Program. The legislation requires municipalities to adopt a resolution providing a local oversight procedure as a prerequisite to participating in the Program. The oversight is necessary to ensure governing bodies are in agreement with the types of military surplus equipment obtained by law enforcement. A resolution will be included on an upcoming agenda for Council consideration.

**D. Review of Polling Locations**

Mr. Shepherd reported on the ongoing exploration of possible alternative sites for polling locations that are currently located in school buildings. Members of the Council agreed that student safety is the number one priority. Councilman Rilee reminded everyone that the Morris County Board of Elections has the ultimate authority and must approve any changes. General discussion occurred with regard to the scope, magnitude, and impact of changing polling locations.

**Mayor Crowley allowed the agenda to be amended for the Township Manager to provide the following updates/information:**

**DPW Storm Clean-up Efforts** – Mr. Shepherd spoke about the Department of Public Works efforts to collect and dispose of large branches, brush and yard waste left from the storm. General discussion occurred with regard to the procedure(s) by which the information will be communicated to residents.

**Old Lafayette School Building on Mill Road** – Mr. Shepherd proposed forming a committee to address the Lafayette School Building. General discussion occurred with regard to the make-up of committee members, current condition of the building, funding for structural upgrades and future use of the building.

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

**INTRODUCTION OF PROPOSED ORDINANCES**

None

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

**03-18** CAPITAL ORDINANCE OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS WATER SYSTEM IMPROVEMENTS, IN, BY AND FOR THE WATER UTILITY OF THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$235,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP

Councilman Zoschak made a motion to open Ordinance No. 03-18 to the public. Councilman Kline seconded the motion.

Voice Vote: All in Favor – Yes; Motion carried unanimously, 7 to 0.

*No Public Comment*

Councilman Hall made a motion to close Ordinance No. 03-18 to the public. Councilman Zoschak seconded the motion.

Voice Vote: All in Favor – Yes; Motion carried unanimously, 7 to 0.

Councilman Zoschak made a motion to approve the adoption of Ordinance No. 03-18. Councilman Kline seconded the motion.  
Roll Call: Councilwoman Albrecht – Yes Deputy Mayor DeFillippo – Yes  
Councilman Hall – Yes Councilman Kline – Yes  
Councilman Rilee – Yes Councilman Zoschak – Yes  
Mayor Crowley – Yes

Motion carried unanimously, 7 to 0.

**04-18 CAPITAL ORDINANCE OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS SANITARY SEWER SYSTEM IMPROVEMENTS AND THE ACQUISITION OF A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE SEWER UTILITY OF THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$120,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP**

Councilman Zoschak made a motion to open Ordinance No. 04-18 to the public. Councilman Kline seconded the motion.

Voice Vote: All in Favor – Yes; Motion carried unanimously, 7 to 0.

*No Public Comment*

Councilman Zoschak made a motion to close Ordinance No. 04-18 to the public. Councilman Hall seconded the motion.

Voice Vote: All in Favor – Yes; Motion carried unanimously, 7 to 0.

Councilman Zoschak made a motion to approve the adoption of Ordinance No. 04-18. Deputy Mayor DeFillippo seconded the motion.

Roll Call: Councilwoman Albrecht – Yes Deputy Mayor DeFillippo – Yes  
Councilman Hall – Yes Councilman Kline – Yes  
Councilman Rilee – Yes Councilman Zoschak – Yes  
Mayor Crowley – Yes

Motion carried unanimously, 7 to 0.

**05-18 CAPITAL ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AND TO APPROPRIATE THE SUM OF \$1,903,731 FROM A CONTRIBUTION FROM THE ROXBURY TOWNSHIP LIBRARY, THE TOWNSHIP FORFEITURE TRUST FUND MONIES AND FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP TO PAY THE COST THEREOF**

Councilman Zoschak made a motion to open Ordinance No. 05-18 to the public. Councilman Kline seconded the motion.

Voice Vote: All in Favor – Yes; Motion carried unanimously, 7 to 0.

Public Comment: Ralph Nappi, 29 Ford Road, Landing – Mr. Nappi said he had read the entire ordinance when it was introduced, but stated that the copy of the affidavit of publication included with the adoption notice contains tiny print and may be difficult for some people to read.

Councilman Hall made a motion to close Ordinance No. 05-18 to the public. Councilman Zoschak seconded the motion.

Voice Vote: All in Favor – Yes; Motion carried unanimously, 7 to 0.  
Councilman Zoschak made a motion to approve the adoption of Ordinance No. 05-18.  
Councilman Hall seconded the motion.

Roll Call: Councilwoman Albrecht – Yes Deputy Mayor DeFillippo – Yes  
Councilman Hall – Yes Councilman Kline – Yes  
Councilman Rilee – Yes Councilman Zoschak – Yes  
Mayor Crowley – Yes

Motion carried unanimously, 7 to 0.

**INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**2018-091** A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:

2018-092, 2018-093, 2018-094, 2018-095, 2018-096, 2018-097, 2018-098

Councilman Rilee made a motion to approve the adoption of Incorporating Resolution No. 2018-091. Councilman Kline seconded the motion.

Roll Call: Councilwoman Albrecht – Yes Deputy Mayor DeFillippo – Yes  
Councilman Hall – Yes Councilman Kline – Yes  
Councilman Rilee – Yes Councilman Zoschak – Yes  
Mayor Crowley – Yes

Motion carried unanimously, 7 to 0.

**2018-092** A RESOLUTION AMENDING THE POLICY FOR THE INSTALLATION OF STREET HONOR BLADES IN THE TOWNSHIP OF ROXBURY

**2018-093** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO PROTECTIVE MEASURES SECURITY AND FIRE SYSTEMS FOR THE INSTALLATION OF A SMOKE AND CARBON DIOXIDE DETECTION SYSTEM AT FIRE CO. 2  
Mayor Crowley pointed out the word “Dioxide” should be amended to read “Monoxide”. Mrs. Rhead will correct.

**2018-094** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO SKYLANDS AREA FIRE EQUIPMENT & TRAINING, LLC TO PURCHASE SIX (6) SETS OF TURNOUT GEAR FOR USE BY FIRE COMPANY NO. 2

**2018-095** A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN THE 2017 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR ACCEPTANCE OF GRANT MONIES FOR THE FIRE COMPANY #3 BUILDING IMPROVEMENTS

**2018-096** A RESOLUTION AMENDING THE MEMBERSHIP OF THE TOWNSHIP FIRE DEPARTMENT

**2018-097** A RESOLUTION AUTHORIZING THE RELEASE OF A CASH BID BOND TO NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS FORMALLY BELL ATLANTIC NYNEX MOBILE SUBMITTED IN REGARD TO THE EXECUTION OF A LEASE AGREEMENT FOR A CELLULAR TOWER LOCATED AT FORMER BLOCK 10, LOT 43.1

**2018-098** A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

**PERSONNEL CHANGES**  
None

## COMMUNICATIONS

March 30, 2018

No comments.

April 6, 2018

**#6 Correspondence from Nyna Flowers, Compliance Officer, Edward Jones, dated March 26, 2018 (received April 6, 2018), re: letter opposing fees for solicitor's permit (copy of Roxbury's ordinances pertaining to this permit attached for reference)** – Councilman Rilee noted that a change would require an amendment to the ordinance.

### **PUBLIC PORTION** (3 Minutes /1 Appearance per Individual)

**Shawn Potillo, 54 Laurie Road, Landing** – Mr. Potillo expressed his appreciation to the Council and Assemblyman Bucco for recognizing the Roxbury Recreation Competition Cheerleading Team for their successes throughout the state during the competition process. Mr. Potillo thanked Chief Palanchi for a fantastic job keeping students safe amid the previous week's incident. Mr. Potillo asked what would happen if an incident caused a polling location to become unusable on an election day. Mrs. Rhead explained the Emergency Relief process. Mr. Potillo referenced excessive litter along Orben Drive and suggested utilizing the SLAP program for clean-up. Chief Palanchi responded that the Township uses SLAP when the County has people in the program to put to work. Mr. Potillo thanked Deputy Mayor DeFillippo for contacting Ms. Espinoza at JCP&L. He pointed out that there is still extensive wire damage and telephone poles along Shippenport Road that need to be repaired. Mr. Potillo asked for an update on the vacant property ordinance. Mr. Shepherd replied that it is being enforced and serving the purpose for which it was meant.

**Ralph Nappi, 29 Ford Road, Landing** – Mr. Nappi referenced the lack of progress made with Tom's Diner even after the vacant property ordinance was enacted. Deputy Mayor DeFillippo advised that the property is being addressed.

**Anthony Petridis, 84 Orben Drive, Landing** – Mr. Petridis advised that the New Jersey Radio Station 101.5 reported that the NJ Department of Education dangerous school rankings listed Nixon Elementary School as the most dangerous school in Morris County. Mr. Pedridis will provide a copy of the report to Mr. Shepherd.

**Shawn Potillo, 54 Laurie Road, Landing** – Mr. Potillo spoke about the types of incidents that are compiled and reported in compliance with the NJ Department of Education requirements.

**Ann Mauro, 7 Picardy Road, Succasunna** – Ms. Mauro asked if the JCP&L meeting in May will be open to the public. Deputy Mayor DeFillippo said a representative from JCP&L plans to attend a Council meeting as well as the senior citizen meetings. Ms. Mauro supported closing schools on election days. Councilman Hall asked for the reasoning behind the Board of Education's hesitance in closing the schools on election days. Councilman Kline said the claim is that closing would be disruptive in November because the General Election is held on a Tuesday of the same week schools are already closed on Thursday and Friday for the NJEA Annual Teachers Convention in Atlantic City.

**Seeing no further public comments, Mayor Crowley closed the Public Portion.**

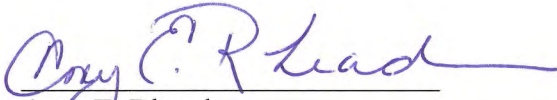
### **EXECUTIVE SESSION**

**2018-099 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 9:50PM, Councilman Rilee made a motion to adjourn the meeting. Councilman Zoschak seconded the motion.

Voice Vote: All in Favor – Yes; Motion carried unanimously, 7 to 0.  
Submitted by:



Amy E. Rhead  
Township Clerk

**MINUTES APPROVED BY COUNCIL:**

**DATE:** August 14, 2018

**ROLL CALL:**

Councilwoman Albrecht	-	Yes
Deputy Mayor DeFillippo	-	Yes
Councilman Hall	-	Yes
Councilman Kline	-	Yes
Councilman Rilee	-	Yes
Councilman Zoschak	-	Yes
Mayor Crowley	-	Yes