

May 12, 2020

A Regular Meeting was held by the Township Council of the Township of Roxbury on May 12, 2020 at the Municipal Building located at 1715 Route 46 in Ledgewood, New Jersey at 7:30PM; however, the Council Room was closed to the public due to the COVID-19 pandemic; therefore, the meeting was broadcast via Zoom Pro in order to allow the continuation of routine municipal business and provide the opportunity for public participation during public comment periods.

PLEDGE OF ALLEGIANCE

Mayor DeFillippo led the Pledge of Allegiance.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this Meeting of the Township Council of the Township of Roxbury was originally given as required by the Open Public Meetings Act as follows: On December 27, 2019, 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.

Adequate advance notice of the location of this meeting being changed to remote access was provided within the statutory time frame as follows: On May 4, 2020, notice was emailed and faxed to the Daily Record, the Newark Star Ledger, The Roxbury Register, emailed to TAPinto Roxbury and posted on the Township website.

ROLL CALL (Present): Councilwoman Jaki Albrecht, Councilman Thomas Carey, Councilman Mark Crowley, Deputy Mayor Fred Hall, Councilman Jim Rilee, Councilman Richard Zoschak, Mayor Robert DeFillippo; **Absent:** None

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

Staff: Robert Kuncken, IT Director

Public: more than seventeen (17) participants were in attendance remotely

Mayor DeFillippo amended the order of the agenda to provide the following community update regarding COVID-19

Community Update
May 12, 2020

- Welcome to our fourth remote Roxbury Township Council meeting. On behalf of the Township Council, we hope you are all remaining well and safe.
- As most of you know, New Jersey remains under a stay-at-home order imposed by the governor because the number of confirmed cases of the Covid-19 virus continues to relentlessly increase.
- This unfortunately also remains true for Roxbury. Sadly, I must report that the number of confirmed cases in Roxbury has continued to slowly creep up. As of today, we have 261 confirmed cases and tragically, 12 deaths.
- As we have in our past meetings, please join me in a moment of silence for those who have felt the devastating effects of this terrible pandemic.
- Thank you. Once again, I ask that you keep the patients and staff at Merry Heart in your thoughts and prayers. While personal privacy considerations prevent us from identifying virus victims, the number of deaths is related to the fact that we have an LTC facility in town.
- Our Township Health Department continues to monitor their situation and to offer the Township's assistance. A special shout out to our police department, which has led an effort to make sure Merry Heart receives the personal protection equipment they need.
- While it continues to remain unclear how soon the stay-home order will be lifted, I want to once again commend the citizens of Roxbury for their perseverance and strength in the face of this overwhelming challenge.

- I wish to particularly compliment everyone for following our social distancing rules on our trails, paths, and walkways during the too short span of beautiful weather.
- I must confess, we were worried that the large crowds on our trails, paths, and walkways would force us to limit their use or close them to maintain public safety, which remains our top priority.
- However, we were all pleased at how well people behaved as they walked, biked, and ran. You were for the most part courteous and respectful to each other. We should not have expected less from our residents.
- Police Chief Marc Palanchi, who has steadfastly maintained the need for outdoor passive recreation, reports there have been very few instances where his officers needed to address noncompliance with social distancing. I wish to compliment the chief and his officers for the outstanding job they are doing during this pandemic.
- Once again, Township staff continues to respond to residents' questions and to keep our essential services running -- either remotely or by reporting each day to their jobs. They are available to answer resident questions by phone or by email. Please visit the township's website for a complete staff directory.
- That said, I must remind everyone again that now is not the time to relax the social distancing precautions that have helped us to slow the spread of the virus and to flatten the curve. We urge you to please continue to adhere to all the social distancing guidelines.
- As we said at our last meeting, we have reopened the Community Garden, and I am pleased to report that we are reopening our recycling center. The recycling center will be open on Saturday's beginning May 16th. The center will be open from 8 am until 4 pm to accept items that are not currently accepted curbside. These items include electronics (computers, printers and TVs only), clothing, motor oil, metal items, fluorescent light bulbs and larger pieces of brush. Residents are encouraged continue to utilize curbside collection for grass, leaves, paper and cardboard as well as cans and bottles. In order to maintain social distancing a limited number of cars will be allowed in the center at any one time, so please be patient. Additional staff will be onsite to direct traffic. Everyone accessing the center will be expected to place their materials in the respective container. If you have any questions concerning the operation of the recycling center, please contact the Public Works Department.
- We also held our first remote Planning Board and Zoning Board meetings this past week. This is another example of how we are endeavoring to keep the Township government operating during the pandemic. I want to thank the members of those important Boards -- all volunteers -- as well as Township staff, for their willingness and flexibility in conducting important Township business remotely.
- Turning to another matter, we recently received some inquiries about an extension of second quarter property taxes. Last week, we announced that we would not extend the grace period for the payment of property taxes because we believe it may have done more harm than good.
- As you may recall, on April 28, Governor Murphy issued an Executive Order that gave municipalities the opportunity to extend the grace period for paying 2nd quarter real estate taxes. To be clear, the order did not extend the deadline to pay property taxes, which was May 1, it merely provided municipalities with the opportunity to extend the grace period for the late payment of property taxes, from 10 days after the deadline, which was May 10, to June 1 -- that is an additional 20 days.
- While we believe the governor's action was well-intentioned, the order was issued so late that it did not provide municipal governing bodies an adequate opportunity to determine if an extension of the grace period was feasible.
- It is important to note that if the grace period were extended, the Township would still need to give the county and school district their share of the property taxes, regardless of whether the taxes were collected or not. As you may be aware, the school district's portion of the tax is the largest part of the property tax collected. In order to make those payments, the Township would either need to utilize a significant portion of its fund balance or borrow the money. The costs of borrowing money would be borne by all taxpayers of Roxbury Township.
- Another important factor was that a majority of Roxbury's real estate taxes are paid by escrow companies that service the mortgages of Township residents. Please keep in mind that escrow companies have already collected the 2nd quarter real estate taxes from homeowners. In other words, granting a 20-day extension provides no benefit to those residents.

- We are, however, sensitive to the financial hardship facing residents because of the COVID-19 quarantine. For that reason, I expect the Council tonight to approve the 2020 Township budget which does not raise taxes, maintaining the tax rate at the 2019 level.
- We believe not raising taxes during this unprecedented time is a more meaningful way to ease the financial burden for the largest number of our homeowners and small businesses in Roxbury.
- Now let me turn to the Township's plans concerning upcoming recreational programs and gatherings.
- Governor Murphy announced May 4 that schools and school-based sports are cancelled for the rest of the academic year. He also extended the stay-at-home quarantine for at least another 30 days. Based on those actions and in the interest of public safety, which remains our primary focus, the Township has decided to cancel our spring 2020 recreation program.
- I confident residents will understand these are very difficult decisions. They are based on our desire to protect the public and to stop the spread on the virus. We are also acting on recommendations from our public health officials, who are basing their recommendations on scientific and medical facts.
- Effective until further notice:
 - All Township playgrounds, courts and athletic fields, which have been closed, will remain closed. No individuals or teams should be using them in any fashion.
 - All Township walking paths and trails will remain open. Please remember to maintain social distancing while using the trails. Without everyone's cooperation we must revisit that decision. For a full list of all of the trails in the Township, please visit www.hikeroxbury.org or www.roxburynj.us/14/Recreation.
 - As previously announced, we have cancelled the Memorial Day parade.
 - And, we must now announce that our community Beach Blast has been cancelled.
- Also, regrettably, we are not planning to open The Horseshoe Lake Beach on Memorial Day. We have tentatively looked to possibly open the beach on June 27, depending on guidelines from the state and as circumstances surrounding the pandemic allow. We will continue to monitor our situation and we will keep the community posted. A reminder, fishing in the lake is allowed.
- The Township's Teen Travel camp has also been canceled because of the scope of the program and our concern for the safety of participants. A decision concerning the Township's other summer camps will be made at a future date.
- A more detail list of delayed openings and closures, including reimbursements, will be sent to participants and posted on the Township's website shortly.
- As we have said in the past, please visit the Township's website for up-to-date information about the virus and quarantine.
- Like our other actions, the Council is making these decisions on an incremental basis – meaning, we look at everything on a case-by-case basis based on facts, guidance, and the best information available. Public safety is always our chief concern.
- The Township continues to receive inquiries concerning when businesses will be able to reopen. Roxbury Township follows the directives of the Governor and State which is required. We continue to encourage the safe reopening of the business community.
- Since the initial executive orders of the Governor closed the majority of the business community, the following business sectors have been permitted to reopen by the Governor: golf courses; State and county parks; personal care services for relatives and close friends; pet groomers and boarding; and stores that sell religious articles.
- The Roxbury Police Department and Health Department keep abreast of the permitted business openings to ensure the smooth reopening of these business sectors.
- Meanwhile, Roxbury continues to cope with the constraints and restrictions imposed by this pandemic with a tremendous sense of community and a desire to help others, especially the most vulnerable among us.

- In the past week, we have received dozens of reports about acts of kindness and generosity performed by our residents from throughout the Township. People are constantly asking how they can help and what they can do. It has been an inspiration to all of us.
- A good example was a video produced by some extremely talented Roxbury students who belong to the Roxbury Interact Club. They posted it on YouTube. It was an upbeat and positive message – filled with hope -- from the young people in our community. I wish to commend and thank those students and the Roxbury Rotary Club for putting the video together. If you get a chance, I recommend you take a look at it.
- Later this week, Township Manager John Shepherd and I will continue our discussions with community groups, including the Chamber of Commerce and our Interfaith Council. We are happy to meet with any group. Please reach out to us.
- One of the most important contributions residents can make continues to be helping our most vulnerable citizens by supporting our Social Services Department.
- Social Services has always been there to help our families in need. They continue to do so and they continue to need our help. If you can, Social Services could use: kid snacks, raisins, juice – grape, cranberry – iced tea mix, salt breadcrumbs, Vienna sausages, baked beans – not vegetarian. The list is posted on our website.
- As a reminder, Social Services is open on Wednesdays and Fridays from 8 a.m. to 12 p.m.
- Finally, I'd like to close with something that I saw on social media last week. Jean Marie Rosone, who lives in Eyland Woods, said she returned home one day after a long shift at the hospital. She said: "I stopped to get the mail and hooked on the mailbox flag was a bag with a rock painted red. Written on the rock were the words: 'stay strong'.
- She said the timing could not have been better, she stood by the mailbox and wept. Jean Marie added: "Whomever preformed this act of kindness I humbly bow with a grateful heart! I will treasure it always!"
- Thank you, Jean Marie, for posting that story and thank you to that kind soul who took the time to recognize the amazing contributions being made by our health care heroes. Bless you and all of our essential workers for all you do to keep us safe.
- On behalf of myself, the Township Council and staff, I urge everyone to remain strong, be safe and God Bless.

Mayor DeFillippo returned to the order of the agenda

PRESENTATIONS, AWARDS, ETC.

A. Quarterly Reports – 1st Quarter 2020

There were no comments or questions on the quarterly reports.

APPROVAL OF MINUTES

July	09,	2019	-	Regular Meeting
August	13,	2019	-	Regular Meeting
December	17,	2019	-	Regular Meeting
March	10,	2020	-	Regular Meeting
April	28,	2020	-	Regular Meeting

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

MEETING DATES:		07-09-19 Regular Mtg.	08-13-19 Regular Mtg.	12-17-19 Regular Mtg.	03-10-20 Regular Mtg.	04-28-20 Regular Mtg.
ROLL CALL:	Councilwoman Albrecht	- Yes	Yes	Yes	Yes	Yes
	Councilman Carey	- Abstain	Abstain	Abstain	Yes	Yes
	Councilman Crowley	- Yes	Yes	Yes	Yes	Yes
	Deputy Mayor Hall	- Yes	Yes	Yes	Yes	Yes
	Councilman Rilee	- Yes	Yes	Yes	Yes	Yes
	Councilman Zoschak	- Yes	Yes	Yes	Yes	Yes
	Mayor DeFillippo	- Yes	Yes	Yes	Yes	Yes
MOTION CARRIED:		Yes – 6 No – 0 Abstain – 1	Yes – 6 No – 0 Abstain – 1	Yes – 6 No – 0 Abstain – 1	Yes – 7 No – 0 Abstain – 0	Yes – 7 No – 0 Abstain – 0

PUBLIC PORTION (3 Minutes /1 Appearance per Individual)

Dennis Wine, 4 Holly Drive, Succasunna – Mr. Wine asked about Resolution No. 2020-123, “A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO PROCESS THIRD QUARTER “ESTIMATED” TAX BILLS, DUE AUGUST 1, 2020”. Mr. Shepherd responded. Mr. Wine spoke in support of preserving Daytop Mendham (Resolution No. 2020-121).

Hearing no further comments, Mayor DeFillippo 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 had no reports at this time.

Councilman Crowley thanked Mayor DeFillippo for his opening comments and spoke about the vast number of constituents who continually express interest in how they can be of assistance to other members of the community.

Councilman Crowley said that he will report on the Lake Hopatcong Commission at the next Council meeting.

Councilman Crowley announced the Open Space Acquisition Advisory Committee will be conducting their next meeting remotely via Zoom.

Deputy Mayor Hall commended Senator Bucco for assisting over five hundred residents with the process of attaining their unemployment benefits.

Deputy Mayor Hall complimented Brett Douglas, Recreation Director, and Ryan Williams, Recreation Program Director, for coordinating and identifying the feasibility of the Township’s recreation programs moving forward during the pandemic.

Deputy Mayor Hall thanked Councilman Crowley for his diligence many years ago that resulted in the opening of the Black River Trail, which has provided the public with an outlet for continued exercise and well-being, especially significant during the pandemic.

Councilman Rilee thanked Mayor DeFillippo for his opening remarks and addressing the key issues to keep residents informed.

Councilman Zoschak said that the Star Ledger has resumed distributing unwanted newspapers on residential properties in violation of the Township’s ordinance.

Councilman Zoschak reported that the Veteran’s Memorial Flag at Horseshoe Lake needs to be replaced.

Councilman Carey praised Mayor DeFillippo for his opening comments.

Mayor DeFillippo offered to fund the purchase of a new Veteran’s Memorial Flag.

Mrs. Rhead reported that the Morris County Board of Elections is seeking confirmation of polling locations for the July 7, 2020 Primary. Mrs. Rhead expressed logistical and safety concerns about opening several buildings to the public during the pandemic but added that the situation is fluid and may change. Mayor DeFillippo asked Mrs. Rhead to keep Mr. Shepherd informed of any new developments as they occur.

Mr. Shepherd had nothing new to report at this time.

Mayor DeFillippo thanked Senator Bucco for his efforts assisting people with attaining their unemployment benefits.

Senator Bucco thanked Mayor DeFillippo for directing residents to him for assistance. Senator Bucco commended his office staff for their dedication and efforts to help with unemployment claims.

B. New Business/Old Business

None

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

None

INTRODUCTION OF PROPOSED ORDINANCES

None

HEARING AND ADOPTION OF ORDINANCES ON SECOND READING

None

ADOPTION OF 2020 MUNICIPAL BUDGET

2020-119 A RESOLUTION TO ADOPT THE 2020 BUDGET

Mayor DeFillippo commended everyone on delivering a budget with no tax increase. He thanked members of Council, the Administration, Finance Department staff, and the Township Auditor for their efforts in keeping the welfare of the residents as a top priority.

Mr. Shepherd read the following synopsis of the Budget Resolution:

Be it Resolved by the Council Members of the Township of Roxbury, County of Morris that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of: \$21,659,899.00 for municipal purposes; \$414,949.00 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy; \$1,141,789.00 Minimum Library Tax; General Revenues - Surplus Anticipated \$1,270,000.00; Miscellaneous Revenues Anticipated \$4,754,316.46; Receipts from Delinquent Taxes \$900,000.00; Amount To Be Raised By Taxation For Municipal Purposed \$21,659,899.00; Amount To Be Raised By Taxation Minimum Library Tax \$1,141,789.00; Total Revenues \$29,726,004.46

Councilman Zoschak made a motion to open Resolution No. 2020-119 for public comment on the annual budget. Councilwoman Albrecht seconded the motion.

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

Public Comment: None

Councilman Zoschak made a motion to close Resolution No. 2020-119 to the public. Deputy Mayor Hall seconded the motion.

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

Councilman Zoschak made a motion to adopt Resolution No. 2020-119. Councilman Carey seconded the motion.

Roll Call:	Councilwoman Albrecht	- Yes	Councilman Carey	- Yes
	Councilman Crowley	- Yes	Deputy Mayor Hall	- Yes
	Councilman Rilee	- Yes	Councilman Zoschak	- Yes
	Mayor DeFillippo	- Yes		

Motion carried unanimously, 7 to 0.

INTRODUCTION AND ADOPTION OF RESOLUTIONS

2020-120 A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:

2020-121, 2020-122, 2020-123, 2020-124,
2020-125, 2020-126, 2020-127, 2020-128,
2020-129, 2020-130, 2020-131, 2020-132

Councilman Rilee made a motion to approve the adoption of Incorporating Resolution No. 2020-120. Deputy Mayor Hall seconded the motion.

Roll Call:	Councilwoman Albrecht	- Yes	Councilman Carey	- Yes
	Councilman Crowley	- Yes	Deputy Mayor Hall	- Yes
	Councilman Rilee	- Yes	Councilman Zoschak	- Yes
	Mayor DeFillippo	- Yes		

Motion carried unanimously, 7 to 0.

2020-121 A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REQUESTING THE GOVERNOR OF THE STATE OF NEW JERSEY FOR INTERVENTION AND ENCOURAGING LEGISLATORS SERVING MORRIS COUNTY TO HELP PRESERVE DAYTOP MENDHAM

2020-122 A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING PROCEEDING WITH THE APPLICATION FOR FUNDS FROM THE MORRIS COUNTY HISTORIC PRESERVATION TRUST FOR UPGRADING THE ELECTRIC SYSTEM AT THE KING STORE, 209 MAIN STREET, LEDGEWOOD, NJ

2020-123 A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO PROCESS THIRD QUARTER "ESTIMATED" TAX BILLS, DUE AUGUST 1, 2020

2020-124 A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO DFFLM, LLC. T/A DITSCHMAN/FLEMINGTON FORD FOR (1) ONE 2020 FORD SUPER DUTY F-250 4WD TRUCK WITH PLOW FOR USE IN THE WATER UTILITY AND (1) 2020 FORD SUPER DUTY F-250 4WD TRUCK CHASSIS FOR USE IN THE SEWER UTILITY

2020-125 A RESOLUTION AUTHORIZING THE PURCHASE OF JOHN DEERE HPX615E UTILITY CART FROM CENTRAL JERSEY EQUIPMENT, LLC FOR USE BY THE PARKS DEPARTMENT

2020-126 A RESOLUTION AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FROM GAMETIME FOR THE MOONEY MOUNTAIN PARK

2020-127 A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A CASH PERFORMANCE GUARANTEE SUBMITTED BY TONY SANCHEZ, LTD. TO GUARANTEE THE COMPLETION OF ALL REQUIREMENTS OF THE TREE REMOVAL & REPLACEMENT PERMIT IN ACCORDANCE WITH AN AMENDED PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR BLOCK 9603, LOT 8.01, MORE COMMONLY KNOWN AS 5 CRYSTAL COURT, LEDGEWOOD, ROXBURY TOWNSHIP

2020-128 A RESOLUTION AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE FROM CONSTELLATION ENERGY FOR THE ELECTRICITY AND FOR STREET LIGHT ACCOUNTS ~~A RESOLUTION AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE FROM _____ FOR ELECTRICITY ACCOUNTS AND _____ FOR STREET LIGHT ACCOUNTS~~

Title completed based on results of the reverse auction held earlier in the day.

2020-129 A RESOLUTION AUTHORIZING REFUND OF TAXES FOR A TOTALLY DISABLED VETERAN EXEMPTION

2020-130 A RESOLUTION AUTHORIZING THE REFUND OF TAXES

2020-131 A RESOLUTION AUTHORIZING THE REFUND OF TAXES

2020-132 A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

PERSONNEL CHANGES

Included in Quarterly Reports

COMMUNICATIONS

May 8, 2020

No comments or discussion.

Councilman Zoschak asked for clarity on the letter received from the Roxbury Arts Alliance regarding events previously scheduled to take place in the fall. Mr. Shepherd advised the Arts Alliance is attempting to relocate upcoming indoor concerts. He will provide Council with updates as received.

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

There were no public comments.

EXECUTIVE SESSION

2020-133 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 8:10PM, Councilwoman Albrecht made a motion to adjourn the meeting. Councilman Carey seconded the motion.

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

Submitted by:

Amy E. Rhead, RMC
Township Clerk

MINUTES APPROVED BY COUNCIL:

DATE: June 23, 2020

ROLL CALL:

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