

**June 9, 2020**

A Regular Meeting was held by the Township Council of the Township of Roxbury on June 9, 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 June 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 sixteen (16) participants were in attendance remotely

**Mayor DeFillippo amended the order of the agenda to provide the following community update with regard to COVID-19** (NOTE: full text of "Mayor's Opening Remarks from the June 9, 2020 Council Meeting" also available at [www.roxburynj.us](http://www.roxburynj.us))

Community Update  
June 9, 2020

- Welcome and thank you for joining us. We hope you are all well and safe.
- Tonight, I would like to use this update on Roxbury's status and response to the COVID-19 pandemic to also address the tragic injustice and civil unrest occurring around the country and closer to home.
- As a Roxbury resident for 25 years, I know we live in a community that values diversity and respect for each other. And, I know that we have all been deeply touched by the disturbing events in Minneapolis and elsewhere.
- First, our COVID-19 status report. I am pleased to say that we have now had several weeks of little to no increase in the number of confirmed corona virus cases in Roxbury. The number of cases stands at 281.
- Tragically, there has been one additional death.
- The few new cases and one new death are directly related to people in a long-term care facility.
- What does that mean? It means the trend is no community spread in Roxbury.
- While I doubt any of us will ever forget the people afflicted and those we lost during this pandemic – especially our most vulnerable residents in long-term care facilities and nursing homes -- it feels very good to be able to report that we may have turned the corner on the virus.

- I attribute this moment to the efforts our community made to adhere to the social distancing requirements and to help those among us who were most vulnerable to the virus. Again, I want to thank our health care workers -- especially at Merry Heart -- essential employees, and first responders for their dedication and service during this difficult time.
- Great news, yes. But by all accounts, we are not quite through this pandemic.
- Even as the governor lifts some restrictions, it remains vitally important for us to continue to practice social distancing to avoid a recurrence of the virus.
- With that, I regret that we have decided to cancel the township's summer-camp program for this season. This was a very difficult decision because we know how important the camps are to our families.
- Township staff led by Township Manager John Shepherd, have determined it would be nearly impossible to maintain social distancing with the young participants and counsellors and we were concerned for their safety.
- We also made this decision in conjunction with the school district, which has decided not to allow use of school buildings during the summer. They need to do this so they can prepare for the possibility of reopening schools in September. While that decision has not been made, it certainly seems prudent to keep the buildings clean.
- Now, for some good news. Based on the new guidelines issued by the governor, Township Manager Shepherd and staff have recommended a limited opening of our playing fields to resume some youth sports programs by June 27<sup>th</sup>.
- The only sports that will be permitted are non-contact such as baseball and softball and possibly some other practicing with social distancing in place. The specific sports and the guidelines for resuming these activities are being developed by staff and will be announced.
- I know this comes as a welcome development and it is another sure sign things are improving -- cautiously.
- Also, because of recent guidelines announced by the governor, we are pleased to announce that we will be able to open Horseshoe Lake Beach.
- The Township Manager and staff, as well as the Township's Recreation Advisory Commission, are recommending a plan to open the lake on June 27, at 11 a.m.
- We will be following guidelines from the Governor's Executive Order and limiting the beach capacity to 280 patrons. The capacity was determined using guidelines set forth by the CDC and New Jersey Parks and Recreation Association Aquatics Division.
- I want to thank the Recreation Advisory Commission as well as staff for working hard to get the lake opened.
- For the 2020 season, the plan is to only offer daily passes, rather than season passes, for the beach. This decision has been made to allow as many Roxbury residents an opportunity to visit the beach since the daily capacity will be capped at 280 patrons. Daily passes will be available for sale the day prior via Community Pass. Please visit the Township's website or contact the Recreation Department staff via telephone or e-mail for additional information.
- We are also considering another important resolution tonight that would allow our local restaurants to partially reopen. If adopted tonight, this resolution will permit restaurants to reopen with outdoor seating as of June 15<sup>th</sup>. The Township has designed a process that will permit restaurants to offer outdoor seating, in addition to carry-out and delivery, so that these restaurants, an important part of the local economy, will be one step closer to normal operations.
- Meanwhile, we were also encouraged by the governor's recent modified reopening of many businesses -- including restaurants. Our township staff are reviewing those orders and requirements and will be helping our businesses with understanding compliance and safety issues.
- Let me now turn to the death of George Floyd in Minneapolis, the arrest of four police officers in connection with the incident, as well as the violence that followed. The actions that many of us witnessed were deplorable and have been widely condemned -- including by respected law enforcement and community leaders.

- The incident has led to a national call for an end to injustice.
- Unfortunately, it also sparked incidents of violence and looting. In response, many in our nation have called for calm, peaceful protest, and unity.
- In our community, the Roxbury Interfaith Council is planning a Virtual Interfaith Gathering of Solidarity on Monday, June 15, at 7:30 p.m.
- Everyone in the community is invited to participate. Information about the event can be found on the Township's website.
- I'd like to thank the Interfaith Council, especially Rabbi Enna of Temple Shalom and Reverend Carrie Morgan of the First Presbyterian Church in Succasunna for putting this event together. I'd also like to thank Roxbury Library Director Radwa Ali for her help in arranging the Zoom session.
- I'd like to share something that recently happened in Roxbury and was reported in TAPinto Roxbury. My hat off to the author. I want to thank TAPinto Roxbury for publishing this story, which shows you the kind of community we live in.
- According to the TAP story, Monique Ferguson, of Wharton, warned her son and husband they really shouldn't be out on the Landing Park athletic field to practice the boy's football throws.
- It was Saturday. The weather was beautiful. But the field was closed.
- Justin, 16, is the varsity quarterback at his high school in New York City, and he needed a place to throw some long spirals to his dad. Father and son took a chance.
- Then the Roxbury police car appeared. The officer inside was white. The Fergusons are black.
- Inside the patrol car, Roxbury Police Patrolman Steven Strowbridge watched the father and son for a while before getting out and coming over. Ferguson said she wasn't sure what was going to take place.
- What happened inspired her to later send a photo and message to the Roxbury Police Department praising Strowbridge and the way he handled the matter.
- "I did that because it could have gone a completely different way, especially because we're all on edge right now with what's going on in this country," Ferguson said.
- She said Strowbridge initially didn't even mention the fact that the field was closed. He talked football and athletics, she said.
- "He approached my husband, and they had a nice little conversation," said Ferguson. "They started talking about going to the gym and working out and about Justin and what position he plays. The officer shared with us that he also was into football."
- Strowbridge gently reminded the father and son that they weren't supposed to be on the field, thanks to COVID-19 and social distancing. But that was a tiny part of the interaction, said Ferguson.
- "They ended up talking 45 minutes to an hour, she said. "They just showed their mutual enthusiasm for football and working out, the challenges of not being able to go to the gym and what the officer was doing to keep in shape."
- On its Facebook page, the police department posted a photo of Strowbridge and Justin smiling and holding opposite ends of a football. They said the message from Ferguson was "uplifting," and they noted that "Justin is a pretty good QB."
- Ferguson said police asked permission to post the photo. "I just said go ahead and share it," she said. "At this time, everybody is so at odds with each other. Frankly, we believe there are good and bad in every group of people."
- She also noted the police told her the Fergusons should call the department the next time Justin is around and wants to practice. "They said, 'Reach out. A lot of the officers here would love to have the opportunity to throw the ball around with him,'" she said.
- Thank you, Ms. Ferguson. And thank you, Officer Strowbridge.

- Much needs to be done to correct social injustice in this country. On this, nearly everyone agrees. But for a moment in Roxbury, our town and police showed everyone what happens when everyone works together to respect each other.
- Finally, June 24<sup>th</sup> is last day of school for students in Roxbury. And, Friday June 19<sup>th</sup> is Roxbury High School's virtual graduation -- although, recent changes announced by the governor today may make it possible for some outdoor graduation ceremonies in July. We are working with the high school and we are hopeful something can be worked out.
- I'd like to take a moment to address this year's Roxbury High School's amazing, creative, and resilient graduating seniors. You have certainly endured a lot in your last year in high school.
- It has undoubtedly been a challenging and confusing time. You lost a lot when your senior year in school ended abruptly, robbing you of those memories.
- Through it all, we have been pleased to watch you demonstrated your ability to adapt, innovate, and soldier through. You traded senior parties for helping out in the community. And through it all, you maintained your sense of purpose and humor.
- That said, the only thing that would be worse than the sadness and tragedy that has marked your final year in high school would be to waste the opportunity to learn from these events.
- The experience you gained during these difficult times has prepared you to leave high school better equipped to meet the challenges you will face as the leaders of the future. You have demonstrated your ability to use your experience to make things better.
- On behalf of the Township Council and staff, please accept our congratulations and best wishes to the Class of 2020 for reaching this important milestone and in all your future endeavors.
- Also, please join me in thanking and congratulating the parents, teachers, and other adults who have helped shape these young people -- because, as we all know, amazing young people don't just happen.
- Thank you.

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

**PRESENTATIONS, AWARDS, ETC.**

None

**APPROVAL OF MINUTES**

April 09, 2019 - Regular Meeting  
 July 23, 2019 - Regular Meeting  
 August 27, 2019 - Regular Meeting  
 September 24, 2019 - Regular Meeting  
 October 29, 2019 - Regular Meeting  
 December 03, 2019 - Regular Meeting  
 January 02, 2020 - Reorganization Meeting

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

	04/09/19	07/23/19	08/27/19	09/24/19	10/29/19	12/03/19	01/02/20
<b>ROLL CALL:</b>	<u>Regular</u>	<u>Regular</u>	<u>Regular</u>	<u>Regular</u>	<u>Regular</u>	<u>Regular</u>	<u>Reorg</u>
Councilwoman Albrecht	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Councilman Carey	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Yes
Councilman Crowley	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Deputy Mayor Hall	Abstain	Yes	Yes	Yes	Yes	Yes	Yes
Councilman Rilee	Abstain	Yes	Yes	Yes	Yes	Abstain	Yes
Councilman Zoschak	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Mayor DeFillippo	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<b>MOTION CARRIED:</b>	4 to 0 w/3 abstentions	6 to 0 w/1 abstention	6 to 0 w/1 abstention	6 to 0 w/1 abstention	6 to 0 w/1 abstention	5 to 0 w/2 abstentions	7 to 0

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

**Dennis Wine, 4 Holly Drive, Succasunna** – Mr. Wine asked about reopening Town Hall to the public. Mr. Shepherd advised that the Township is continuing to follow the guidelines set forth by the Governor.

**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 reported that she attended a small gathering at the Horseshoe Lake Pavilion with members from one of the senior citizen groups.

Councilman Crowley reported on topics discussed at the recent Open Space Advisory Committee meeting, which included grants and connecting the trail between Veterans Park and the Swim and Sport Club.

Councilman Crowley reported on the recent Lake Hopatcong Foundation meeting, during which topics of discussion included weed harvesting, budget preparation, and algal bloom/water quality issues in the Landing channel.

Deputy Mayor Hall congratulated the Roxbury High School and Eisenhower Middle School graduates.

Deputy Mayor Hall noted that the June 27th reopening of recreation fields for baseball, softball, and soccer will be for practice only, not games.

Councilman Rilee had nothing to report at this time.

Councilman Zoschak congratulated all Roxbury Township 2020 graduates.

Councilman Zoschak reported on his attendance at the recent Roxbury Rotary Club meeting that was held under the Horseshoe Lake Pavilion.

Councilman Zoschak congratulated the Roxbury Township Police Department for a job well-done brought forth by excellence in training.

Councilman Carey had nothing to report at this time.

Mrs. Rhead advised Council that the Board of Elections will be providing election updates to municipal clerks during a virtual conference call scheduled for June 16th.

Mr. Shepherd had nothing to report at this time.

Mr. Bucco commended the Township on a job well-done during the pandemic.

**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

**INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**2020-150** A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE

*NOTE: The resolution numbers are out of sequence due to the inclusion of add-on Resolution No. 2020-160*

2020-151, 2020-152, 2020-153, 2020-154, 2020-155,  
2020-156, 2020-157, 2020-158, \*2020-160

Councilman Rilee made a motion to approve the adoption of Incorporating Resolution No. 2020-150 plus 2020-160. 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.

**2020-150** A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE

**2020-151** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ACKNOWLEDGEMENT OF RECEIPT OF A HIGHLANDS COUNCIL CONSULTATION REGARDING A LAND EXCHANGE INVOLVING BLOCK 13302, LOT 1 IN THE TOWNSHIP OF ROXBURY, COUNTY OF MORRIS AND STATE OF NEW JERSEY

**2020-152** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF GIFTS  
Councilman Carey asked for an explanation of the word “gifts”. Mr. Shepherd explained that any gift and/or donation from the private sector must be accepted by resolution per state statute.

**2020-153** A RESOLUTION APPROVING A ONE (1) YEAR EXTENSION TO THE CONTRACT WITH BUILDING INSPECTION UNDERWRITERS, INC. FOR THE PROVISION OF AN ELECTRICAL SUBCODE OFFICIAL

**2020-154** A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH ROBERT L. ZELLEY, PG, LSRP OF MASER CONSULTING, P.A. FOR ENVIRONMENTAL CONSULTING SERVICES ASSOCIATED WITH THE FENIMORE LANDFILL

**2020-155** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO RIO SUPPLY, INC. FOR THE PURCHASE OF 25 WATER METERS WITH TRANSMITTERS FOR THE TOWNSHIP WATER UTILITY

**2020-156** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO COMMERCIAL INTERIORS DIRECT, INC. FOR THE PURCHASE OF THE BROADLOOM CARPET INCLUDING LABOR AND COVE BASE MATERIAL; AND TO INTERFACE AMERICAS, INC. FOR THE PURCHASE OF CARPET TILE AND ADHESIVE FOR THE CARPET PROJECT AT THE TOWN HALL FACILITY

**2020-157** A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE POSTED WITH THE TOWNSHIP OF ROXBURY IN CONNECTION WITH WORK PERFORMED AND ACCEPTED IN ACCORDANCE WITH A TOWNSHIP RIGHT-OF-WAY EXCAVATION PERMIT

**2020-158** A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

**2020-160** **ADD-ON** A RESOLUTION ALLOWING TEMPORARY OUTDOOR SEATING FOR RESTAURANTS IN THE TOWNSHIP OF ROXBURY DURING THE COVID-19 STATE OF EMERGENCY AND CLOSURE OF RETAIL AND COMMERCIAL BUSINESSES IN NEW JERSEY

Councilman Zoschak commended Mr. Bucco, Mr. Shepherd and staff for their thoroughness in preparing Resolution 2020-160. Mr. Bucco noted that it was a team effort and stated that it continues to be an honor and a privilege to represent Roxbury Township as its legal counsel.

**PERSONNEL CHANGES**

None

**COMMUNICATIONS**

None

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

**Robert Kluska, 274 Emmans Road, Flanders** – Mr. Kluska asked if the agenda will be adjusted on the Township’s website to reflect ADD-ON Resolution 2020-160. Mr. Shepherd replied and assured Mr. Kluska that the resolution and application will be prominently posted on the Township’s website. Mr. Kluska asked for clarification on COVID statistics provided by Mayor DeFillippo versus numbers posted on the Township website. He also asked if the statistics are adjusted as residents recover from the virus. Mayor DeFillippo explained that the Township reports confirmed cases but has no data regarding how each case resolves.

**Dennis Wine, 4 Holly Drive, Succasunna** – Mr. Wine asked for an update on property tax collections. Mr. Shepherd replied that the second quarter is showing a minimal decrease in collections as expected.

**Hearing no further comments, Mayor DeFillippo closed the Public Portion.**

**EXECUTIVE SESSION**

**2020-159 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 8:09PM, Councilman Zoschak 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:

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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