

**June 23, 2020**

A Regular Meeting was held by the Township Council of the Township of Roxbury on June 23, 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 19, 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 M. Bucco, Township Attorney

**Staff:** Robert Kuncken, IT Director; Richard Blood, Public Works Director; Brett Douglas, Recreation Director

**Public:** approximately four (4) members of the public, Mike Condon, Roxbury Register reporter, and Fred Aun, TAPinto Roxbury reporter, 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 23, 2020 Council Meeting" also available at [www.roxburynj.us](http://www.roxburynj.us))

Community Update  
June 23, 2020

- Welcome and thank you for joining us this evening. We hope you all remain well and safe.
- In tonight's report, I am excited to share news about all the new developments concerning re-openings in town.
- But before I get to that, let me tell you about a wonderful event that took place Monday night, June 15. It was called a Virtual Gathering of Solidarity and it was held in response to the tragic injustice and civil unrest occurring around the country and closer to home.
- Sponsored by the Roxbury Interfaith Council and the Township, more than 80 people signed into a Zoom session to listen to some very moving remarks and sometimes hard-to-listen-to accounts by members of our religious community, in particular, the Rev. Herman Scott of the Morristown Calvary Baptist Church, who was our guest speaker.
- Special thanks go to Rabbi Inna of Temple Shalom for organizing the event with the expert help of Library Director Radwa Ali, as well as Rev. Cari Morgan of the First Presbyterian Church of Succasunna and the Roxbury Interfaith Council, which does so much for our community.
- Also, a special thanks to Sen. Tony Bucco, who spoke during the event and offered his support and encouragement to those who called in to participate.

- By all accounts, the event was well received. For our part, the Mayor and Council pledged our solidarity with those fighting for social justice and equality.
- In my remarks, I commented that as a Roxbury resident for 25 years, I know we live in a community that values diversity and where we have respect for each other.
- I also wish to thank Chief Marc Palanchi for his support and for the outstanding job our dedicated Roxbury police do every day and have done during these troubled times.
- And a quick shout out to Mike Condon at the Roxbury Register for his story on the Interfaith Council event. His coverage provided an important community service.
- Also, the Zoom meeting was recorded, and a video produced by Radwa Ali can be viewed on Facebook. I encourage everyone to take a look.
- Now let me turn to our COVID-19 status report. I am pleased to say that we continue to see a significant reduction in the number of confirmed cases of COVID-19 being reported in town. The number of cases stands at 286. Thankfully, no new deaths have been reported.
- Once again, this day would not have been possible without everyone's cooperation in adhering to the social distancing requirements. Please remember to continue to practice social distancing, especially now that things are beginning to reopen.
- Our first bit of good news concerns the opening of the beach at Horse Shoe Lake. As you will remember, we announced at our last meeting that we had found a way to reopen the beach, which was a high priority for the Council and staff.
- However, we heard from several residents about our plan to only issue day passes, as opposed to the traditional seasonal pass. We made that decision based on our desire to make the beach available to as many people as possible, given that we could only admit 280 people at a time based on CDC guidelines.
- But in our effort to create an equitable pass system that was fair, we inadvertently put our long-time Roxbury residential seasonal pass holders at a disadvantage.
- We heard you and over the past week we spent a significant amount of time with the staff and the Recreation Advisory Committee led by Deputy Mayor Fred Hall discussing beach access for 2020. As a result, and to create a system that fairly recognizes our loyal seasonal pass holders, we are proposing a resolution tonight that would, if adopted by this Council, restore seasonal passes for the summer of 2020.
- Based on an analysis of past beach usage, we believe that most days the beach capacity of approximately 280 – which is the cap established using CDC guidelines -- will accommodate those wishing to use the beach. We will not limit the number of beach passes that will be sold for the year.
- As such, purchasers of beach passes will need to be aware that it is possible that they will not be able to access the beach on certain days because it may reach capacity.
- So, if adopted by Council tonight, at 8 a.m. on Wednesday, June 24th -- tomorrow -- seasonal passes will go on sale for Horseshoe Lake Beach.
- Passes will be available on-line by visiting the Township's web site or by contacting the Township's Recreation Department by telephone.
- As previously mentioned, the capacity of the beach will be limited to 280 people. Therefore, anyone wishing to use the beach must pre-register the day prior to visiting. To pre-register, visit the Township's website or contact the Township's Recreation Department by telephone at (973) 448-2015 between the hours of 8 a.m. and 3 p.m. Monday through Friday.
- On Saturdays and Sundays, telephones will be answered between the hours of 8 and 11 a.m.
- Senior citizens who plan to visit the beach should contact the Recreation Department by telephone for special consideration. Also, we expect to be charging a discounted rate for all seasonal passes for Roxbury residents to account for the shorten season. If approved by Council later this evening, the family annual pass for residents will be reduced to \$75.00 from \$95.00. And for a season pass for singles, the cost will be reduced to \$30.00 from \$40.00. Non-residents may also purchase passes but at a higher rate.

- I want to stress that, as we have done in the past, we reserve the right to modify this plan based on our experience once we open the beach. No one thinks these decisions are written in stone.
- In addition to the beach, the Recreation Department is developing two new programs for consideration.
- First, we are introducing for the first time a program called The Gaels Fitness program -- a fitness and training program open to all residents that will take place on our new turf field.
- Second, we will be offering a Swim Clinic, which will provide swimmers a program to replace the competitive 2020 swim season, which we expect will not take place because of COVID-19 concerns. For both programs, we will require social distancing protocols as well as a COVID-19 liability waivers. These are conditions required by the township's Risk Manager and Township Attorney.
- More details about these programs will be publicized and posted on the township's website soon.
- We have also received many requests for garage sale permits. Because of limited access to Town Hall, we are waiving the application and \$5 application fee for garage sale permits for the remainder of 2020. While this will only have a small impact on township revenue, it provides an important benefit for everyone who spent the last four months cleaning out their garages and attics.
- These matters are also on the agenda and are expected to be voted on by the Council later this evening.
- As many of you may have noticed, outside dining – something we authorized by resolution at our last meeting – has begun in Roxbury. This is a much needed and welcomed development. Tents have sprung up all around town. We encourage the community to patronize our restaurants, as well as our retail stores, which also opened for limited in-store shopping last week.
- The restaurants currently approved for temporary outside dining are:

ANTHONY & SONS, 15 Route 10 East, Succasunna;  
 ANTHONY FRANCOS PIZZA, 274 Route 10 West, Succasunna;  
 FUDDRUCKERS, 275 Route 10 East, Succasunna;  
 ROSE'S LUNCHEONETTE, 431 US-46 West, Kenvil;  
 ROXBURY DINER, 101 Route 10 East, Succasunna;  
 TGI FRIDAYS 1103 US-46 West, Ledgewood;  
 MULDOONS 1447 US-46 West, Ledgewood;  
 IHOP 810 US-46 East, Kenvil;  
 Java Joe's on Route 10 in Succasunna; and  
 Bryan's on Main Street in Succasunna

And remember to tip generously.

- In more good news, The Roxbury Library began offering curbside drop-off and pick-up last week. I would like to take this opportunity to thank the library's dedicated staff, led by Director Radwa Ali, for the outstanding job they have done serving the community during these difficult times.
- From virtual paint-and-sip sessions and on-line programs to help our small businesses to calling each of the library's elderly patrons to check on their condition, the library has proven itself a vital community resource.
- I am also pleased to announce that the Library will be holding outdoor concerts by the Gazebo during the summer.
- The Roxbury Arts Alliance, another important cultural group in town, is also expected to hold concerts this summer at the Gazebo at Horse Shoe Lake. Quick shout out to the Roxbury Rotary Club, which donated the Horse Show Lake Gazebo as one of its many civic projects in our community.
- Shows are currently scheduled:

July 13	Cardon Racquet	Library Gazebo	6:30 - 7:30
July 20	Winterlong and Stephanie Joyner	Horseshoe Lake Gazebo	6:30 - 8:00
July 27	Big Jeff aka Jeff DeSmedt (Ice Cream Social & Social Services Donation Night)	Library Gazebo	6:30 - 7:30

Aug 3	Kate & Paul and Jeiris Cook	Horseshoe Lake Gazebo	6:30 - 8:00
Aug 10	Grover Kemble	Library Gazebo	6:30 - 7:30

- Let me turn now to plans to resume limited in-person operations at Town Hall for residents and employees. I would like to start by thanking our township staff for their dedication and hard work during the pandemic. As we all know, many township employees continued to work during the crisis either by showing up every day for their jobs or by working remotely to keep essential township services operating.
- That said, Township Manager John Shepherd has advised that much of the workspace in Town Hall does permit safe social distancing for employees and residents. In instances where we do not have adequate space for safe social distancing, we will be installing physical barriers or re-locating employees.
- In addition, we are modifying workspaces to provide greater separation between residents and employees. This will be primarily achieved by installing glass partitions at work counters which will provide a safer environment for both the employee and the visitor.
- We are also modifying the reception area in the front of the Manager and Clerk offices to facilitate safe social distancing. Employees at all buildings are adhering to social distancing guidelines and wearing masks if social distancing is not possible, especially in common areas accessible to the public.
- So, beginning this week, all departments will be back to full staffing within each building. Later, we plan to open to the public by appointment only. All visitors will be required to wear masks. At some point in July, we plan to be mostly open to the public without an appointment. Please note that at this point, our re-opening plan does not include the court which is receiving direction from the Administrative Office of the Court.
- This past Monday, June 22, was the virtual graduation for Roxbury High School. The Mayor and Council wish to congratulate the 2020 graduates for achieving this important milestone. As I said last week, the challenges faced by this graduating class were significant, but will help prepare them for the challenges of leading in the future.
- I am delighted, however, to report to you that the High School has submitted their permits and has confirmed information for an in-person graduation ceremony to be held on July 8<sup>th</sup> on the Island at Horse Shoe Lake at the Band Shell. The rain date is July 9<sup>th</sup>.
- Three ceremonies are expected to be held – at 10 a.m., 12:30 p.m., and 2:30 p.m. Lines will be marked on the field to indicate safe social distancing and people attending are being asked to bring their own chairs.
- All requirements set forth by the governor’s executive order as well as CDC and New Jersey Health Department guidelines will be followed. The township is working closely with the school district to make this happy and important day possible for the graduates and their families.
- Now, I would like to turn to a recent story passed on to me by our Municipal Court Judge Ira Cohen. It is not directly related to Covid-19, but it does concern another important matter – the opioid epidemic -- that has unfortunately taken a back seat to the pandemic.
- This story also focuses on the way we treat people in Roxbury – not during a pandemic, but every day. The following is a message received by Judge Cohen. I have removed the person’s name to protect their identity.
- Dear Judge Cohen, I hope this email finds you well. I was formerly an addict who went through your court system in both Roxbury and Randolph. I wanted to email you because I wanted to say thanks. About 3-4 years ago, you gave me one final opportunity to better myself before sending me to jail. I cannot express how grateful I am to you Judge Cohen, for granting me that last opportunity. I can happily say, I have been drug-free for 3 years now.
- I just graduated from College with an Associate in Criminal Justice. I will be attending Rutgers in the fall to pursue a bachelor’s degree. I could not be more proud and thankful for the accomplishments I was able to achieve in such little time.
- So, thank you again Judge Cohen. It would have been a lot more difficult to achieve these things had you incarcerated me that day. I will always be thankful for the opportunity. I hope you have a good day.

- To that person I say, please accept our congratulations for your exceptional accomplishment, and thank you Judge Cohen for demonstrating the best practices and principles of our community.
- Now, let me finish tonight by thanking my fellow Councilmembers, who seldom ask for or receive any recognition for their many contributions.
- The average resident has no reason to know about the many things you do for Roxbury – from helping at Social Services, delivering groceries to seniors, making and distributing masks, or making sure that our local businesses are getting the support they need.
- You have acted as advocates for residents who need help and you have brought important matters to the attention of township staff. For the past four plus months, I have been proud to serve alongside you as we did our best to lead through this unprecedented crisis.
- Once again, thank you to all the Roxbury residents who are making a difference in our community.
- Please be well, stay safe, and God bless.

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

**PRESENTATIONS, AWARDS, ETC.**

None

**APPROVAL OF MINUTES**

May 12, 2020 - Regular Meeting  
 May 26, 2020 - Regular Meeting  
 June 09, 2020 - Regular Meeting

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

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

There were no public comments at this time.

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

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

Councilwoman Albrecht thanked Mayor DeFillippo for his thorough and informative Community Update.

Councilwoman Albrecht reported on upcoming outdoor concerts hosted by RoxPac that will be held at Horseshoe Lake.

Councilwoman Albrecht reported that she will be attending the upcoming virtual Morris County Open Space meeting.

Councilman Crowley thanked Mayor DeFillippo for his opening remarks and commented that he was glad to see restaurants reopening.

Councilman Crowley reported that Roxbury Township will be assisting the Lake Hopatcong Commission with weed disposal.

Deputy Mayor Hall thanked Mayor DeFillippo for his opening remarks.

Deputy Mayor Hall thanked the Recreation Department, Mr. Shepherd and staff for their efforts to create an action plan for beach access and recreational activities.

Deputy Mayor Hall thanked the Environmental Commission for keeping the Community Garden open.

Deputy Mayor Hall asked for a meeting to be scheduled to review sidewalk plans for the Township.

Councilman Rilee thanked Mayor DeFillippo for covering so much information in his Community Update.

Councilman Rilee congratulated the Roxbury Township Graduation Class of 2020.

Councilman Zoschak thanked Mayor DeFillippo for his informative update.

Councilman Zoschak reported that the Township's Annual Drinking Water Quality Report (results from the Year 2019) had no violations.

Councilman Zoschak commented that the contractor(s) did a great job replacing sewer lines and conducted video sewer inspections.

Councilman Carey thanked Mayor DeFillippo for his wonderful opening statements.

Councilman Carey thanked Deputy Mayor Hall, Mr. Shepherd and the Recreation Department staff for their flexibility and efforts creating a plan to get recreation activities up and running.

Councilman Rilee asked Mrs. Rhead about vote-by-mail ballot drop boxes. Mrs. Rhead provided information on the five Morris County locations where vote-by-mail ballots can be dropped for daily pick-up by county staff. She advised that additional information is available at [www.morriscountyclerk.org](http://www.morriscountyclerk.org) and confirmed that a link is also available on the Township website.

Mr. Shepherd had no reports at this time.

Mr. Bucco reported that all is well.

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

None

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

**A. Block Party – Justine Place, Succasunna** (*Saturday, July 11, 2020; Rain Date: Sunday, July 12, 2020*)

**B. Block Party – West Street, Succasunna** (*Saturday, July 18, 2020; Rain date Sunday, July 19, 2020*)

Councilman Zoschak made a motion to approve the above-listed block parties. Councilman Rilee seconded the motion.

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

#### **INTRODUCTION OF PROPOSED ORDINANCES**

None

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

None

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

**2020-161** A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:

2020-162, 2020-163, 2020-164, 2020-165,  
2020-166, 2020-167, 2020-168, 2020-169,  
2020-170, 2020-171, 2020-172

Councilman Rilee made a motion to approve the adoption of Incorporating Resolution No. 2020-161 with amendments to Resolution No. 2020-171. Deputy Mayor Hall seconded the motion.

Roll	Councilwoman Albrecht	- Yes	Councilman Carey	- Yes
Call:	Councilman Crowley	- Yes	Deputy Mayor Hall	- Yes
	Councilman Rilee	- Yes	Councilman Zoschak	- Yes, with a recusal on
	Mayor DeFillippo	- Yes		Res. No. 2020-171

Motion carried 7 to 0, with the exception of Resolution No. 2020-171 which was carried 6 to 0 with one recusal.

**2020-162** A RESOLUTION AUTHORIZING THE INSERTION OF AN ITEM OF REVENUE IN THE 2020 BUDGET FOR ADDITIONAL FUNDING FOR MORRIS COUNTY SCADR TAP DIAL-A-RIDE GRANT PROGRAM

**2020-163** A RESOLUTION AUTHORIZING THE INSERTION OF AN ITEM OF REVENUE IN THE 2020 BUDGET FOR ADDITIONAL FUNDING FOR SAFE AND SECURE GRANT

**2020-164** A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO FRENCH & PARRELLO ASSOCIATES FOR THE REPLACEMENT AND RECONSTRUCTION PLAN OF THE FIXED DOCK LOCATED AT THE HORSESHOE LAKE BEACH

**2020-165** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO TILCON NEW YORK INCORPORATED FOR THE PAVING OF VARIOUS ROADS IN THE SUCCASUNNA AREA

**2020-166** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO TREE KING, INC. FOR THE REMOVAL OF 122 ADDITIONAL AFFECTED TREES ALONG VARIOUS TOWNSHIP ROADS

**2020-167** A RESOLUTION AUTHORIZING THE SALE OF MUNICIPAL SURPLUS PROPERTY

**2020-168** A RESOLUTION AUTHORIZING THE INSERTION OF AN ITEM OF REVENUE IN THE 2020 BUDGET FOR ADDITIONAL FUNDING FOR CLEAN COMMUNITIES GRANT PROGRAM

**2020-169** CERTIFICATION OF THE ANNUAL AUDIT BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF ROXBURY IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY FOR THE CALENDAR YEAR 2019

**2020-170** A RESOLUTION AMENDING THE MEMBERSHIP OF THE ROXBURY TOWNSHIP FIRE DEPARTMENT

**2020-171** A RESOLUTION SETTING THE 2020 BEACH ACCESS PLAN IN RESPONSE TO COVID-19, SETTING FEES FOR THE ~~GALES~~ GAELS FITNESS PROGRAM AND SWIM CLINIC PROGRAM AND WAIVING FEES FOR GARAGE SALE PERMITS FOR 2020 IN RESPONSE TO COVID-19 *(NOTE: Scrivener's error in title; "GALES" corrected to "GAELS" / H. Reed)*

Councilman Carey expressed disappointment that the resolution currently has no provision for daily passes at Horseshoe Lake and hoped to revisit the decision. Councilman Crowley clarified that the fees are being waived for garage sale permits, but applicants must still apply through the Clerk's Office and adhere to all municipal rules and regulations. In addition, due to the COVID-19 Pandemic, applicants will be responsible for following all federal and state social distancing and safety protocols. Mr. Shepherd requested Council's approval to amend the resolution to include reduced fees due to the late opening and shortened season. Council members agreed to amend the resolution to implement decreased fee suggestions presented by Mr. Shepherd. Mr. Bucco advised Council that he also had a few revisions to make to the resolution that would not alter the intent of the resolution. Council had no objection to the revisions suggested by Legal Counsel.

**2020-172** A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

**PERSONNEL CHANGES**

None

**COMMUNICATIONS**

June 19, 2020

No comments or discussion

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

There were no public comments at this time.

**EXECUTIVE SESSION**

**2020-173 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 8:08PM, Councilman Zoschak made a motion to adjourn the meeting. Councilwoman Albrecht 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:** July 14, 2020

<b>ROLL CALL:</b>	Councilwoman Albrecht	-	Yes
	Councilman Carey	-	Yes
	Councilman Crowley	-	Yes
	Deputy Mayor Hall	-	Yes
	Councilman Rilee	-	Yes
	Councilman Zoschak	-	Yes
	Mayor DeFillippo	-	Yes