

August 23, 2011

A Regular Meeting of the Township Council of the Township of Roxbury was held on August 23, 2011 at the Municipal Building located at 1715 Route 46 in Ledgewood, New Jersey at 7:30 PM.

PLEDGE OF ALLEGIANCE

Shawn Womer from Boy Scout Troop 163 led the Pledge of Allegiance.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this Regular Meeting of the Township Council of the Township of Roxbury was given as required by the Open Public Meetings Act as follows: Notice was published in the Daily Record on December 23, 2010; Notice was faxed to the Daily Record, the Newark Star Ledger, The Roxbury Register, and was posted on the bulletin board in the main hallway of the Municipal Building, on December 20, 2010.

ROLL CALL (Present): Councilman Gary Behrens
Deputy Mayor Fred Hall
Councilman Martin Schmidt
Mayor Jim Rilee

Absent: Councilwoman Kathy DeFillippo
Councilman Tim Smith
Councilman Rich Zoschak

Also Present: Christopher Rath, Township Manager
Anthony Bucco, Esq., Township Attorney
Amy Rhead, Acting Township Clerk
Connie Gouck, Administrative Aide

APPROVAL OF MINUTES

June 17, 2010 – Regular Meeting
June 17, 2010 – Executive Session
March 8, 2011 – Regular Meeting
March 8, 2011 – Executive Session

Councilman Schmidt made a motion to approve the minutes listed above. Councilman Behrens seconded the motion.

Roll Call:	June 17, 2010 Regular Meeting	June 17, 2010 Executive Session	March 8, 2011 Regular Meeting	March 8, 2011 Executive Session
Councilman Behrens	Yes	Yes	Yes	Yes
Deputy Mayor Hall	Yes	Yes	Yes	Yes
Councilman Schmidt	Abstain	Abstain	Abstain	Abstain
Mayor Rilee	Yes	Yes	Yes	Yes

Motion carried 3 to 0 with one abstention.

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

Councilman Behrens reported on the recent Board of Education meeting and the changes in administrative staff.

Deputy Mayor Hall spoke about the recent announcement that the Township was awarded \$250,000 to help revitalize Main Street in Succasunna. He extended appreciation to Mr. Mike Kobylarz and members of the Main Street Streetscaping Committee for their dedication and determination that resulted in such a significant accomplishment. Mayor Rilee also thanked the volunteers for their years of fundraising efforts and support. Mr. Rath commented on the great effort put forth by the Main Street Streetscaping Committee throughout the years and mentioned that it

was Mr. Kobylarz' fourth application attempt and commended him for his perseverance. Mr. Raths said that the funds would be used for curbing, sidewalks and ornamental brick on the north side of Main Street.

Deputy Mayor Hall asked Mr. Raths if he had more information for the September 17th Day of Service. Mr. Raths said he would contact the organizer of the event and gather more information.

Mr. Raths reminded everyone about the Main Street Committee's "Value This" Antique Road Show fundraiser on September 17, 2011.

Mrs. Rhead informed the Council that 2010 Census results have been analyzed and the Township's wards would need to be re-drawn.

A. New Business

1. None

B. Old Business

1. Shared Service – Mt. Arlington

Mr. Raths informed the Council that Mount Arlington had not made a final decision about sharing police services.

2. ROMAC Committee Appointment - no suggestions

C. Presentations

1. None

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

1. Quarterly Reports – 2nd Quarter

Mr. Raths reviewed the quarterly reports. He mentioned that he was concerned about the cost of utilities, but that, overall, the Township's current position was better than it was the same time the previous year.

Mr. Raths also complimented the Tax Collector's department for doing an outstanding job getting the tax bills mailed out quickly.

Deputy Mayor Hall asked about the additional funding the Township received for snow removal expenses. Mr. Raths explained that the unanticipated revenue could not be used until the following year and could only be used for dedicated snow removal purposes.

2. Proclamation – Olde Suckasunny

Mayor Rilee read the proclamation.

3. Block Party – Olde Suckasunny Day (September 10th)

4. Block Party – Melissa Lane (September 4th) Revised: September 5th

5. Application for Special Permit – Swim & Sport Club (September 17th & 18th)

Deputy Mayor Hall made a motion to approve #3, #4 and #5 as listed above.

Councilman Schmidt seconded the motion.

Mrs. Rhead advised the Council that the applicant for the Block Party (#4) had called and requested that the date be changed to Labor Day, which was approved by the Police and Road Departments.

Deputy Mayor Hall amended his prior motion and made a motion to approve #3, #4 (revised) and #5 as listed above. Councilman Schmidt seconded the amended motion.

ROLL CALL: Councilman Behrens – Yes
Deputy Mayor Hall – Yes
Councilman Schmidt – Yes
Mayor Rilee – Yes

Motion carried 4 to 0.

6. Morristown & Erie Railway, Inc. - presentation postponed

General Council discussion took place regarding the Lake Junction Yard rehabilitation project.

7. Best Practices Checklist CY 2012

Mr. Rath reviewed the Best Practices checklist and stated that the Township scored 88% and would be receiving full funding.

Deputy Mayor Hall spoke in reference to the General Management section, Item No. 7 of the Best Practices Worksheet CY 2012 which asks: "Does your municipality require its elected officials to attend basic courses on responsibilities and obligations in local government (i.e. budgeting, policy setting, local government contracting, risk management, and compliance with the Open Public Records Act?)". Deputy Mayor Hall pointed out that the state has never requested or required that elected officials attend any specific courses. Since municipalities are being scored on course attendance, he suggested that the classes be available at the New Jersey League of Municipalities' annual conferences.

Councilman Schmidt asked what the Township prior year's score was. Mr. Rath said that the format and number of questions was different, but that the Township received a score that provided full funding last year, as well.

PUBLIC PORTION

Dennis Wine

4 Holly Drive, Succasunna

Mr. Wine asked about the affirmative answer to the question in the Municipal/School Relations section, Item No. 1 of the Best Practices Worksheet CY 2012, "Has your municipality held or scheduled a "Joint Yearly Open Public Meeting" between the local school board(s) and the governing body to discuss community needs, shared services, and the school and municipal budgets?". Mr. Rath referenced the monthly Shared Services meetings that are held.

Mr. Wine asked if the Township had contacted any local businesses regarding the purchase of cinder blocks (see Resolution No.11-261). Mr. Rath responded that he had been contacted by a member of the Council about the same issue and would be recommending that the resolution be pulled from the agenda to ensure that local businesses have an opportunity to provide a quote.

Mr. Wine referenced the August 12 Communications packet, #4, "Correspondence from Senator Anthony R. Bucco, to Mayor Jim Rilee, dated August 4, 2011, re: Letter of support in response to Township Resolution No. 11-234 "RESOLUTION SUPPORTING A-4126, AMENDING THE STATUTORY DEADLINE FOR MUNICIPAL REVIEW OF A DEFEATED SCHOOL BUDGET IN CERTAIN CIRCUMSTANCES". Mr. Bucco responded and explained that the deadline extension was to allow for the same amount of review time even if the school election date were to be moved (as was the situation in 2011).

Ralph Nappi

29 Ford Road, Landing

Mr. Nappi asked Councilman Schmidt for an update on the Library Board's actions regarding viewing of inappropriate material on their computers. Councilman Schmidt responded that filters would be installed on all children's computers and that people will have to sign in and have time limits for using the computers.

DRAFT ORDINANCES FOR DISCUSSION

None

INTRODUCTION OF PROPOSED ORDINANCES

None

HEARING AND ADOPTION OF ORDINANCES ON SECOND READING

None

INTRODUCTION AND ADOPTION OF RESOLUTIONS

11-255 A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:
11-256, 11-257, 11-258, 11-259, 11-260, 11-262, 11-263, 11-264, 11-265, 11-266, 11-267

Deputy Mayor Hall made a motion to adopt incorporating Resolution No.11-255. Councilman Schmidt seconded the motion.

ROLL CALL: Councilman Behrens – Yes
Deputy Mayor Hall – Yes
Councilman Schmidt – Yes
Mayor Rilee – Yes

Motion carried 4 to 0.

11-256 A RESOLUTION AUTHORIZING THE REFUND OF UNUSED ENGINEERING INSPECTION FEES POSTED WITH THE TOWNSHIP IN CONNECTION WITH WORK PERFORMED IN ACCORDANCE WITH VARIOUS PROJECTS

11-257 A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE POSTED WITH THE TOWNSHIP IN CONNECTION WITH WORK PERFORMED AND ACCEPTED IN ACCORDANCE WITH A TOWNSHIP RIGHT-OF-WAY EXCAVATION PERMIT

11-258 A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL ARCHITECTURAL SERVICES CONTRACT TO THE RBA GROUP, INC., FOR THE FIRE COMPANY NO. 2 ANNEX BUILDING EXPANSION PROJECT

11-259 A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO KELLER & KIRKPATRICK, INC. FOR THE FIRE COMPANY NO. 2 ANNEX BUILDING EXPANSION PROJECT

11-260 A RESOLUTION APPOINTING CINDY VAN SICKLES AS LOCAL REGISTRAR OF VITAL STATISTICS FOR THE TOWNSHIP OF ROXBURY

Mayor Rilee noted that, while the resolution was being approved at this meeting, Cindy Van Sickles would be attending the next Council meeting to have the Oath of Office publicly administered.

11-261 **PULLED** - A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO THE PHILLIP COMPANY FOR CONCRETE BLOCKS

11-262 A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO MORRIS ASPHALT COMPANY, INC. FOR THE OIL & STONE TREATMENT OF GORDON ROAD AND MORGAN DRIVE

- 11-263** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO TILCON NEW YORK, INC. FOR PAVING MATERIALS AND CRUSHED STONE
- 11-264** REFUND OF OVER PAID TAXES – COUNTY CONCRETE
- 11-265** A RESOLUTION AUTHORIZING THE REFUND OF TAXES
- 11-266** A RESOLUTION AMENDING THE MEMBERSHIP OF THE TOWNSHIP FIRE DEPARTMENT
- 11-267** A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

PERSONNEL CHANGES

None

COMMUNICATIONS

August 12, 2011 – *no discussion*

August 19, 2011

#3 Correspondence from Sophie (Ewton) DeHaas of 17 North Second Avenue, Kenvil: May 5, 1998: to Mr. Gary Webb, Township Manager, re: notification of residents interested in purchasing buffer zone parcel behind some properties on North Second Avenue (a.k.a. Corwin Tract) scheduled to be dedicated to the Township by the current owner (County Concrete) in the year 2000 and Mr. Webb’s response

May 4, 1993: to Mark Noll, Chief of Police, re: complaint of speeding on North Second Avenue and request for speed limit to be lowered, truck weight to be limited and caution signs be posted regarding children playing

Deputy Mayor Hall asked why the above was included in the packet. Mr. Rath responded that during review of the current encroachment issue he found similar issues from the past. The above correspondence was included for information purposes.

#5 Public Notification provided by Lukoil North America LLC (LNA), dated August 3, 2011, re: notification of environmental investigation to be conducted at Route 10 and Eyland Avenue in Succasunna; Block 1903, Lot 1

Councilman Schmidt requested more details regarding the above-referenced environmental investigation. Mr. Rath said he would look into it and provide additional information to Councilman Schmidt upon receipt.

PUBLIC PORTION

Robert Kluska

274 Emmans Road, Flanders

Mr. Kluska asked about the expected start date of the Commerce Boulevard project. Mr. Rath said that there had been some delays. He said he would look into it and get back to Mr. Kluska with a response.

Ralph Nappi

29 Ford Road, Landing

Mr. Nappi asked why the Senior Citizen fund on the quarterly report had a zero balance. Mr. Rath explained that the zero balance was due to the entire amount having been encumbered in anticipation of it being spent.

EXECUTIVE SESSION

11-268 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 8:05PM, Councilman Behrens made a motion to adjourn the meeting. Deputy Mayor Hall seconded the motion.

Roll Call: All in Favor – Yes

Motion carried 4 to 0.

Submitted By:

Amy E. Rhead
Acting Township Clerk

MINUTES APPROVED BY COUNCIL

DATE: September 13, 2011

ROLL CALL: Councilman Behrens – Yes
Councilwoman DeFillippo – Abstain
Deputy Mayor Hall – Yes
Councilman Schmidt – Yes
Councilman Zoschak – Abstain
Mayor Rilee – Yes