

March 9, 2021

A Regular Meeting was held by the Township Council of the Township of Roxbury on March 9, 2021, 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 given as required by the Open Public Meetings Act as follows: On December 28, 2020, notice was published in the Daily Record. Notice was faxed to the Daily Record, Newark Star Ledger and The Roxbury Register on December 31, 2020. Notice shall also remain posted throughout the year on the bulletin board in the main hallway of the Municipal Building.

Due to the ongoing public health emergency as declared by the Governor, the location of this meeting of the Township Council has been changed to be held remotely via telephonic audio conferencing and recorded utilizing the Zoom Pro platform. Adequate advance notice of this change, as well as instructions for accessing the agenda and relevant documents, and making public comment was provided as follows: On March 5, 2021, notice was emailed and faxed to the Daily Record, the Newark Star Ledger, the Roxbury Register; emailed to TAPinto Roxbury; posted on the bulletin board in the main hallway of the Municipal Building and on the exterior door of Town Hall; and electronic notice was posted on www.roxburynj.us.

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, James T. Bryce, Alternate Township Attorney

Staff: Robert Kuncken, IT Director; Richard Blood, DPW Director; Michael Kobylarz, Township Engineer.

Public: approximately twenty (20) 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 March 9, 2021, Council Meeting" also available at www.roxburynj.us)

Community Update
March 9, 2021

- Good evening and thank you for joining us tonight. On behalf of the Council, we hope everyone is well and safe.

COVID Report

- We come to you tonight just about one year from the start of the COVID -19 pandemic. One year since we began the process of social distancing, mask-wearing, and one year since we shutdown most of the country and began quarantining at home.
- Thankfully, we are beginning to see some encouraging signs – deaths and new cases nationally are at the lowest they have been in months. And more and more people are getting vaccinated. Although, it remains needlessly difficult in New Jersey for many.
- In Roxbury, however, we continue to see stubbornly high increases in confirmed cases. Since our last Council meeting on February 23, the number of confirmed COVID cases in town has gone from 1,733 to 1,903 – 170 cases in just two weeks.

- Our rate of increase has plateaued but at an unacceptably high level. We need to continue to work to get that number down.
- Our public health nurse Jim Craig strongly recommends that residents continue to practice social distancing -- staying six feet apart -- indoors as well as outside. Please wear masks, wash your hands, and avoid large crowds, especially indoors.
- Importantly, make sure to get vaccinated when it is your turn. As we have said before, we are so close to getting back to normal. The more vigilant we remain, the sooner we will beat this virus.

Vaccinations

- That said, the township continues to provide updated information about available vaccinations. Vaccination locations continue to expand in the Roxbury area.
- We remind everyone to frequently check the Township's website under the COVID-19 tab for the most updated Information Sheet for vaccination locations.
- Some recent updates include:
 - Walmart in Ledgewood is now offering the vaccine for adults at least 75 years old. Call the pharmacy to schedule an appointment. The phone number is listed on our website
 - Also, Wegman's pharmacy is offering the vaccine and multiple Walgreen's locations, including the one in Ledgewood, will begin offering the vaccine soon.

Public Outreach

- When the Township began this effort to help people get a vaccination, I was not sure how much we could do to help. Then, this week, I received an email from a woman who was trying to get a vaccination for her frail, 76-year-old sister-in-law, who lives in Roxbury. She told me her sister-in-law did not have a computer and could not maneuver her way through the state system even if she did
- The woman who wrote me lived 2 hours away from her sister-in-law. She said she placed her on the state registration system and checked the state list of vaccination sites in Morris County but without success for any available slots.
- After pointing her to the Township's website, Township John Shepherd recommend that the woman check the Walmart location, which had just opened, served people over the age of 75, and had a telephone contact to check on vaccine supply.
- The next day the woman told us she was able to schedule an appointment for her sister-in-law. "Thank you," she wrote, "the township website is a great resource."
- She added: "We shall see our way through this." I want to thank John Shepherd, our Health Department, and IT department once again for putting the information together and making it available to the community – especially those who may need a little extra help.

Bucco Bill

- Let me make a sharp turn to another important matter. This week, state Sen. Tony Bucco called for the Legislature to fix the new marijuana legalization law by reversing a provision that prohibits police from notifying parents when minors are caught with cannabis or alcohol.
- I am confident we can all agree – as would most parents -- that the senator's suggestion is sensible and necessary. I have also heard from Police Chief Marc Palanchi and Township Manager Shepherd. They join other law enforcement officials in supporting Sen. Bucco's efforts.
- With the permission of the Council, I would like us to consider a resolution expressing Roxbury's support for the change put forward by Sen. Bucco.

The order of the agenda was amended for the following motion and roll call vote in support of Senator Bucco's proposed legislation:

Councilman Rilee made a motion to proceed with expressing Roxbury Township Council’s support of Senator Bucco’s efforts. Councilman Crowley seconded the motion.

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

Council returned to the order of the agenda.

Thank you.

Optimum Hearing

- I want to let residents know that the New Jersey Board of Public Utilities (BPU) will hold a virtual Public Hearing on March 16, 2021, at 10:00 a.m. to investigate complaints about Altice/Optimum service.
- The poor service provided by Optimum, and Altice is compounded by the fact that Verizon has refused to expand its service to certain sections of Roxbury. The Township Council, in particular deputy Mayor Fred Hall, has been vocal on this issue. Recently, Fred and I met with Verizon officials to renew the Township’s request that they reconsider and expand their service in town.
- Those who would like to participate in the virtual public hearing must register. Information on how to do that is posted on the Township’s website.
- Anyone who wished to submit a comment should do so on or before 5 p.m. on March 23. Further details to file a comment can be found on the Township’s website.

Mrs. Schwartz, et al.

- Finally, a couple of shout-outs to people making a difference in Roxbury.
- Long-time Roxbury resident Belle Schwartz was recently named Joanna Fabrics “Handmade Hero” for sewing hundreds of masks and sewing and knitting other necessities for people in the community. Thank you, Belle, for your contributions to the residents of Roxbury and congratulations on your well-earned recognition.
- Also, thank you to Paul Bellardini, owner of Luigi’s Pizza in town, for sponsoring a Kiwanis Club food give-away this Sunday, March 14, at Kiwanis Park, 9 Markin Lane, Succasunna, 9:30 to 11:30 a.m. This is one of several food-giveaway events that Kiwanis has held in town during the pandemic.
- Thank you all again for joining us tonight. Now back to our agenda.

Mayor DeFillippo returned to the order of the agenda.

PRESENTATIONS, AWARDS, ETC.

None

APPROVAL OF MINUTES

January 26, 2021 – Regular Meeting

Councilman Carey made a motion to approve the above-listed minutes. Councilman Rilee 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)

Mayor DeFillippo reminded telephonic callers who would like to speak on any issues to press *6 (star six) to unmute their phone.

Ann Mauro, 7 Picardy Road, Succasunna – Ms. Mauro suggested implementing an Adopt-a-Hydrant Program to have flags installed on fire hydrants. Mr. Shepherd will investigate the cost

of installation on Township-owned hydrants and will reach out to American Water Company to gauge their interest in installing identifiers on their hydrants.

Dennis Wine, 4 Holly Drive, Succasunna – With regard to the estimated \$158K to rehabilitate the fuel islands located on school property, Mr. Wine asked how the 45/55 split between the Board of Education and the Township of Roxbury was derived. Mr. Shepherd advised that both gas and diesel fuel are available to school and municipal vehicles at the site, noting that the split was determined based on utilization. General discussion occurred with regard to the arrangement being beneficial to both parties since its inception.

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 expressed congratulations to Belle Schwartz for being nominated “Handmade Hero” by Joann Fabrics.

Councilwoman Albrecht thanked Paul Bellardini, owner of Luigi’s Pizza, and the Kiwanis Club for the food give-away.

Councilwoman Albrecht reported on a recent Morris County Open Space Trust Fund Committee Zoom meeting.

Councilwoman Albrecht reported that participants baked Irish Soda Bread during the recent “Cooking with Chef Therese” event sponsored by the Roxbury Public Library.

Councilman Crowley applauded Councilwoman Albrecht for continuing her culinary education.

Councilman Crowley noted that the Lake Hopatcong Foundation is doing well even though some of their fundraising efforts have been thwarted by the pandemic. Efforts are ongoing to keep Musconetcong River and Lake Musconetcong free of weeds.

Councilman Crowley thanked Mr. Shepherd and DPW staff for clearing snow from trails and paths so that residents can continue to exercise and walk on them.

Councilman Crowley congratulated Belle Schwartz and pointed out that the Township of Roxbury has fantastic volunteers.

Councilman Crowley expressed dismay that the State of New Jersey presented legislation to remove the parental notification requirement when minors are found using or possessing marijuana. He thanked Senator Bucco for his efforts to reverse the legislation.

Deputy Mayor Hall announced that the Environmental Committee’s Annual Stream Clean-Up event is scheduled for April 17, 2021. The Roxbury High School Environmental Team will also be participating. To ensure safe and appropriate social distancing, a maximum of twenty-five (25) participants will be stationed at each of two sites - Black River Park (to be supervised by Jackie Vitiello) and Ledgewood Park (with Tricia Fragale supervising).

Deputy Mayor Hall announced that the Recreation Department is still looking for coaching volunteers.

Deputy Mayor Hall stated the spring sports registration numbers are increasing for all programs. Spectators and participants will be expected to follow appropriate social distancing guidelines.

Deputy Mayor Hall reported that registration for Recreation Summer Camp will begin on Saturday, April 3, 2021, at 8:00am.

Deputy Mayor Hall thanked Mr. Blood and the DPW staff for their work in identifying and removing ash trees that have fallen victim to the Emerald Ash Borer epidemic.

Councilman Rilee reported that various issues were discussed during a phone call with Fire Department Chief Robert Hackett since the Chiefs have not been able to get together for a meeting as of late.

Councilman Rilee provided an update from the Planning Board, noting some of the new stores that will be opening at Ledgewood Commons including Burlington, Marshalls, and At Home Décor Stores.

Councilman Zoschak supported the idea of installing flags on fire hydrants so they can be located easier in a snow situation and to avoid being damaged by plows.

Mayor DeFillippo noted that firemen and residents did an extraordinary job clearing snow and ice from fire hydrants this season.

Councilman Carey had no reports at this time.

B. New Business/Old Business

Mrs. Rhead had nothing to report at this time.

Mr. Bryce had nothing to report at this time.

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

A. Fire Department - 2021 3rd Assistant Chief - Christopher Skomial (Oath of Office to be administered by Township Clerk on March 8, 2021)

Mrs. Rhead confirmed that she administered the Oath of Office to Chief Skomial the previous day. Mayor DeFillippo expressed congratulations to Mr. Skomial and thanked him for his volunteerism.

B. Recreation Capital Trust Fund

Mr. Shepherd recommended implementing a policy to deposit turf field rental income into the Recreation Trust Fund instead of the General Fund. Council members expressed support. Mr. Shepherd will prepare a resolution for inclusion on an upcoming agenda for Council consideration.

C. School District Shared Services Agreement – Fueling Station

Mr. Shepherd provided an overview of the history of the Shared Service Agreement between the Roxbury Board of Education and Township of Roxbury for the fueling station. While the actual agreement expired several years ago, the Board and Township have continued to abide by the terms. Mr. Blood attended a meeting to review the scope and details of the project and found the renovation plans reasonable and necessary. The project includes replacing tanks and suction pumps to ensure compliance with upcoming New Jersey Department of Environmental Protection (NJDEP) regulations. Councilman Carey inquired as to the amount of input Council would have in procuring products and services for the project. Mr. Shepherd explained that it is the Board of Education's facility, and they are lead agent. Councilman Rilee pointed out that there is a significant savings in comparison to what it would cost to build and maintain a separate township-owned station. Mr. Shepherd will prepare the necessary resolution and agreement associated with renewing the Shared Services Agreement for the fueling station.

D. Temporary Outdoor Seating for Restaurants

Mr. Shepherd asked Council to consider extending the expiration of the municipal Temporary Outdoor Seating Permit from March 31, 2021, to November 30, 2021, noting that Governor Murphy recently extended the state-imposed expiration to November 30, 2022, for establishments with liquor licenses. Council members had no objections. Mr. Shepherd will include an authorizing resolution on an upcoming agenda.

INTRODUCTION OF PROPOSED ORDINANCES

12-21 AN ORDINANCE AMENDING CHAPTER XIII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY, LAND DEVELOPMENT ORDINANCE, ARTICLE VIII, STORMWATER MANAGEMENT

Mr. Shepherd confirmed that the ordinance implements only those changes that are state-mandated due to recent NJDEP mandates. Members of the Council expressed that they'd like to avoid additional burdens for homeowners who want to make improvements.

Ordinance No. 12-21 was introduced in writing, read by title, and will be further considered for final passage, after public hearing thereon, at a meeting of the Township Council to be held at its meeting room in the Municipal Building, 1715 Route 46 West, Ledgewood, New Jersey, on April 13, 2021, at 7:30PM.

Councilman Rilee made a motion to approve the introduction of Ordinance No. 12-21. 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.

HEARING AND ADOPTION OF ORDINANCES ON SECOND READING

04-21 AN ORDINANCE AMENDING CHAPTER XXIV, "FEES", OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY AND AMENDING CERTAIN RECREATION FEES

Deputy Mayor Hall made a motion to open Ordinance No. 04-21 to the public. Councilman Rilee seconded the motion.

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

No Public Comment

Deputy Mayor Hall made a motion to close Ordinance No. 04-21 to the public. Councilman Carey seconded the motion.

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

Deputy Mayor Hall made a motion to approve the adoption of Ordinance No. 04-21. 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.

06-21 AN ORDINANCE AMENDING CHAPTER 16, "TAX EXEMPTION PROCEDURES" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY, TO REVISE THE TOTALLY DISABLED VETERANS EXEMPTION QUALIFICATIONS CONSISTENT WITH THE 2020 CONSTITUTIONAL AMENDMENT

Councilman Rilee made a motion to open Ordinance No. 06-21 to the public. Councilwoman Albrecht seconded the motion.

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

No Public Comment

Councilman Rilee made a motion to close Ordinance No. 06-21 to the public. Councilwoman Albrecht seconded the motion.

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

Councilman Rilee made a motion to approve the adoption of Ordinance No. 06-21. 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

2021-064 A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE

2021-065, 2021-066, 2021-067, 2021-068,
2021-069, 2021-070, 2021-071, 2021-072

Councilman Rilee made a motion to approve the adoption of Incorporating Resolution No. 2021-064. Councilman Zoschak 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

2021-065 A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN THE 2020 MORRIS COUNTY TRAIL CONSTRUCTION GRANT AGREEMENT FOR ACCEPTANCE OF GRANT MONIES FOR DEVELOPMENT OF THE EMMANS GREENWAY TO VETERANS PARK TRAIL

2021-066 A RESOLUTION AUTHORIZING REFUND OF TAXES FOR A TOTALLY DISABLED VETERAN EXEMPTION

2021-067 A RESOLUTION AMENDING THE MEMBERSHIP OF THE ROXBURY TOWNSHIP FIRE DEPARTMENT

2021-068 A RESOLUTION AUTHORIZING THE REFUND OF SEWER UTILITY OVERPAYMENT

2021-069 A RESOLUTION AUTHORIZING THE REFUND OF TAXES

2021-070 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

2021-071 A RESOLUTION AUTHORIZING THE TOWNSHIP TO APPLY TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE 2020 RECYCLING TONNAGE GRANT

2021-072 A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

PERSONNEL CHANGES

None

COMMUNICATIONS

February 26, 2021

March 5, 2021

There were no comments or discussion on the above-listed communications.

PUBLIC PORTION (3 Minutes /1 Appearance per Individual)

Mayor DeFillippo reminded telephonic callers who would like to speak on any issues to press *6 (star six) to unmute their phone.

Ann Mauro, 7 Picardy Road, Succasunna – Ms. Mauro asked if there are any plans to refurbish/update Imagination Station. Deputy Mayor Hall advised that the Recreation Advisory Committee will assess the condition of the playground equipment once the snow melts.

Corrine Borrero, 97 Eyland Avenue, Succasunna – Ms. Borrero asked if Recreation Advisory Committee meetings are open to the public. Deputy Mayor Hall responded affirmatively and welcomed Ms. Borrero’s offer to volunteer with the restoration of Imagination Station.

Hearing no further comments, Mayor DeFillippo closed the public portion.

EXECUTIVE SESSION

2021-073 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

Matter(s) relating to:

1. **Contract Negotiation/Attorney Client Privilege** – Ashley Farm Lease
2. **Contract Negotiation/Attorney-Client Privilege** – Canal Society
3. **Negotiation/Attorney-Client Privilege** – Highlands Application Lake Hopatcong Grant Contract

At 9:06PM, the Council returned to the open session of the meeting.

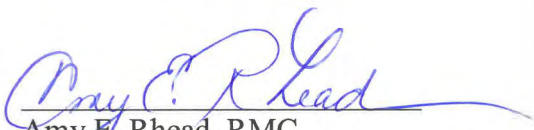
Mayor DeFillippo announced the return to the open session. He asked if there were any comments from Council. Hearing none, Mayor DeFillippo thanked everyone for attending and wished them a good evening.

ADJOURNMENT

At 9:07PM, Councilwoman Albrecht 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, RMC
Township Clerk

MINUTES APPROVED BY COUNCIL:

DATE: June 29, 2021

ROLL CALL: Councilwoman Albrecht - Yes
Councilman Carey - Yes
Deputy Mayor Hall - Yes
Councilman Pottillo - Abstain
Councilman Rilee - Yes
Mayor DeFillippo - Yes