

March 6, 2012

A Budget Meeting of the Township Council of the Township of Roxbury was held at 6:00PM immediately followed by a Regular Meeting of the Township Council of the Township of Roxbury at 7:30PM in the Municipal Building located at 1715 Route 46 in Ledgewood, New Jersey.

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: Notice was published in the Daily Record on March 2, 2012; 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 March 1, 2012.

ROLL CALL (Present): Councilman Gary Behrens
Councilman Mark Crowley
Deputy Mayor Kathy DeFillippo
Mayor Fred Hall

Absent: Councilman Jim Rilee
Councilman Martin Schmidt
Councilman Richard Zoschak

Also Present: Christopher Raths, Township Manager
Anthony M. Bucco, Esq., Twp. Attorney
Amy Rhead, Acting Township Clerk
Kathy Florio, Administrative Aide

Staff: Lisa Spring, CFO/Treasurer
Patty Reiche, Assistant to the CFO
Rick Blood, Director of the Department of Public Works
(departure at 7:00p.m.)
Dave Stierli, Recreation Director (departure at 7:00p.m.)

Public: four (4) members of the public (arrival between 7:00p.m.&7:30p.m.)
Mike Condon, Reporter, Roxbury Register (7:30p.m. arrival)

BUDGET DISCUSSION

1. Department of Public Works

Mr. Raths discussed:

- reasons for recommending increasing staff by adding a full-time \$12.00 per hour laborer position
- request to add new position, Assistant to the Director of the Department of Public Works, (upon the retirement of the current Road Superintendent)

2. Recreation

Discussion took place regarding items including the following:

- whether or not staffing modifications would help address maintenance issues at the Township parks
- maintenance of recreation facilities to be added to a future agenda as a separate discussion item
- current condition of the recreation fields result of recent extreme weather
- recreation fields experience excessive use
- volleyball courts?
- recommendations for fertilization and weed maintenance on the playing fields. Deputy Mayor DeFillippo expressed concerns about negative effects of fertilizer and chemicals. Mr. Raths and Mr. Blood provided assurances that the products that would be used would not be harmful.

- possibility that some of the sporting associations might contribute to maintenance costs
- typographical error on budget sheets resulting in a miscalculation of white field paint; to be corrected in the finalized budget
- Artificial Turf Annual Maintenance Agreement with costs to be shared with the Board of Education; need for service had not been anticipated or considered prior to purchase of turf field; Mayor Hall reminded Council that the Board of Education was supposed to maintain the field
 - service would clean field with specialized machinery
 - service would redistribute pellets evenly across the playing field with appropriate equipment
 - would allow the municipality to exercise some control over maintenance of the turf field
 - ensuring proper care
 - protect Township's investment
- decrease in the budget due to re-categorizing a part-time position to be correctly listed in the Leisure Activities account
- cost savings and efficiency associated with implementation of the online registration service
- recommendation by Councilman Crowley to increase amount of camera surveillance. Mr. Rath said the topic would be discussed with the Police Department.
- Township is covering the costs of repairing significant damage at Kiwanis Park caused by the recent extreme weather; account to be replenished with whatever FEMA money is eventually received (probably not until 2013)

At approximately 7:00PM, Rick Blood, Director of the Department of Public Works, and Dave Stierli, Recreation Director, exited the meeting

3. Remaining Departments

Planning Department

Mr. Rath discussed/informed/explained/reviewed:

- decreasing escrow money causing inability to charge some of the salary costs against the line item resulting in increase in salary accounts
- employee Vacation Buy-Back program that allows employees to apply to be paid for up to five days of the current year's unused vacation time
- responsibilities of the Planning Department personnel
- current staffing level. Deputy Mayor DeFillippo asked if it would be feasible to reduce the Planning Department staff from three employees to two. Mr. Rath did not support a staff reduction and provided reasons that the Department should have a minimum of three employees.

Economic Development Committee

The budgeted amount of one thousand dollars used for:

- covering costs associated with seminar registration fees
- hosting various events
- completion of the annual Morris County EDC survey

Open Space

No discussion

Zoning

No Discussion

Uniform Construction Code

Discussion took place regarding:

- Uniform Construction Code falls under the Construction Department budget
- salary for the Zoning/Code Enforcement Officer is pulled from this account
- economy has hindered the account's ability to fund itself through permit fees

- savings were realized by replacing a full-time employee with a part-time employee
- anticipated shared-service arrangement with the Township of Randolph for Construction Official services expected to take place by the beginning of 2013

Other Insurance - Property and Casualty Insurance

Council members were informed that:

- the Township saved approximately one hundred thousand dollars by switching providers
- the addition of the new DPW facility affected the overall rate

Group Insurance

Discussion items included:

- increases in projected costs
- potential impact of anticipated retirements
- frustration about the lack of ability to contain health insurance costs
- committee of staff members looking into whether or not State Health Benefits might be a possible money-saving alternative

Disability Insurance

No Discussion

SUI Insurance

Mr. Raths informed Council that:

- continual governmental extensions to the length of time unemployment benefits can be collected is resulting in municipalities having to make payments for longer amounts of time
- unemployment benefits are being awarded to early retirees (years of service eligibility); the Township contests every claim but has not prevailed. Mr. Raths suggested that letters be sent to State legislators protesting the action.

Police Department

Discussed at previous meeting

Police Staff

Discussed at previous meeting

Traffic Control

Discussed at previous meeting

Emergency Management

Mr. Raths informed Council that the budget request would allow for:

- repainting and modifying an SUV from a different department to replace the current EMS vehicle

Fire Prevention/Safety Office

Mr. Raths reported that:

- departmental reorganization allowed for the Fire Prevention Department to become completely self-funded
- staff is comprised of part-time employees who do a great job for the Township.

First Aid Company #1, First Aid Company #2, First Aid Company #3

Fire Company #1, Fire Company #2, Fire Company #3

Mayor Hall praised the members of the first aid and fire companies and said they all “deserve a medal for what they went through last year”.

Council discussion took place regarding:

- request for repair and maintenance issues at the Port Morris building (expected to be demolished within the next few years).
- costs associated with the expansion of the Shippenport Road building.

- request from Company No. 3 for another one thousand dollars for the purpose of accommodating two additional positions.
- variations in the education costs between the three companies. Mr. Rath explained that the enrollment of each department and individual needs of the volunteers determines the amount needed for professional development.

Streets and Roads

Council members asked for clarification on costs associated with the following:

- Uniforms – Mr. Blood in the process of obtaining quotes for uniform services.
- Street sign upgrades – one thousand dollars (\$1,000)
- Tree removal costs – funds requested from FEMA to cover some of the expenses; Mr. Rath to provide spreadsheet at next meeting showing remaining money in Tree Fund
- Education (increase in line item) – for professional development regarding learning how to better assess road situations. Deputy Mayor DeFillippo requested more information on this topic.

Council members decided to begin the March 13, 2012 scheduled Budget Meeting at 6:00 p.m. instead of 7:30 p.m. Mrs. Rhead assured that adequate notice of the amended start time would be provided as required by law.

At 7:35PM, the Budget Meeting portion was completed and Mayor Hall amended the order of the agenda to allow for a five (5) minute recess before convening the Regular Meeting portion of the agenda.

At 7:40PM, Council returned from the recess and proceeded with the Regular Meeting.

APPROVAL OF MINUTES

None

Mayor Hall amended the order of the agenda to allow for the first Public Portion.

Bob Sullivan

Volunteer firefighter for Fire Company No.1, Succasunna

Roxbury Company No.1 firefighters/EMTs Bob Sullivan and Jen Filipow requested Council support for the upcoming St. Baldrick's head-shaving fundraising event scheduled for April 15, 2012 to raise money to fight childhood cancer in honor of resident Owen Smith. Mr. Sullivan asked for the information to be posted on the Township website, police presence for traffic control and permission to hang a banner across Eyland Avenue (approval needed from JCP&L, Verizon and the Township Planning and Zoning Department). Mayor Hall spoke about the courageousness of Owen Smith's family and offered to have the flashing police signs used as a tool to promote the event, too.

Deputy Mayor DeFillippo informed that it may be a heavy traffic day in the Township as the fundraiser is going to be held on the same date as the MS Walk. She invited Mr. Sullivan to further promote the event at the March 21st Roxbury Area Chamber of Commerce meeting that is attended by area business owners. Deputy Mayor DeFillippo also suggested a "Dress-Down Day" for employees as an additional way to raise funds for the St. Baldrick's Foundation.

Ralph Nappi

29 Ford Road, Landing

Mr. Nappi asked for an update on the status of the Township's attempt to hold a meeting with Andre Drive residents. Mr. Rath responded that one meeting had taken place and another would be held next Monday.

Mr. Nappi thanked Mr. Raths and Deputy Mayor DeFillippo for getting the State to adjust the drainage of water on and around the Commerce Building intersection which has alleviated the previous flooding issue.

John O’Neill

217 Mooney Road, Flanders

Mr. O’Neill asked for an update on the meeting that was held with the NJDEP the previous week. Mayor Hall responded and said that the Township focused on the safety issues and complaints about the truck traffic. He said that the Township presented a preliminary diagram of an alternate truck route to the landfill and asked the NJDEP to provide a summary of all the permits that would be required in order to complete the project. Mayor Hall said that the Commissioner claimed that the project would be able to proceed within ninety days of approval of all the permits and that the NJDEP viewed it as a significant priority. Mr. Raths reported that Township staff is working overtime to ensure that the permits are ready to be presented at the March 15, 2012 meeting with the NJDEP. Mayor Hall noted the additional strain that is being put on the employees and said it is monopolizing their time. Mr. O’Neill expressed appreciation to the staff and Council for their efforts to find a solution to the safety concerns of the residents.

Diane O’Neill

217 Mooney Road, Flanders

Mrs. O’Neill asked if NJDOT had been notified about the truck traffic and safety concerns associated with the Fenimore Landfill site. Mr. Raths said that the NJDOT was aware of the current situation and would provide Mrs. O’Neill with a contact name and phone number.

Mayor Hall added that the Environmental Commission would be assisting in reviewing the reports from Strategic Environmental Partners as they are submitted.

Mayor Hall announced that the NJDEP would be conducting a public hearing on April 17, 2012 at 6:00 p.m. at the Lincoln Roosevelt School to address the submission of waiver applications by Strategic Environmental Partners, LLC in regard to Highlands Preservation Area Approval with Brownfield Redevelopment, Freshwater Wetlands General Permit #5, and Flood Hazard Area Individual Permit with Hardship Exceptions.

Mayor Hall continued amending the order of the agenda to allow for discussion of the item listed in the agenda under MATTERS REQUESTED/REFERRED BY COUNCIL MEMBERS, MANAGER, ATTORNEY OR CLERK

RAMAC Roxbury Township Flying Field: Marguerite Gargiulo, RAMAC Field Committee representative and resident of 17 Lincoln Drive in Flanders, joined the meeting and spoke about Roxbury Area Model Airplane Club (RAMAC) and their request to utilize areas of Veterans Park Field in Roxbury to fly planes. Ms. Gargiulo stated that the hours of operation would be 9:00am to dusk seven days per week.

Mr. Raths informed Council that the Open Space Committee had reviewed the request and said that it could take up to a year to obtain NJDEP waivers and/or Green Acres Diversions, if necessary, in order to proceed. Additionally, he said that some of the brush and trees would probably have to be cleared from the area. Council members asked questions about several issues, including decibel levels, size and types of airplanes the group would fly. Ms. Gargiulo said they are quiet and only medium sized planes would be flown in Roxbury. Deputy Mayor DeFillippo reminded Council members about the need to coordinate efforts of the Trails Committee and get input from area residents.

Brad Pryor, President, RAMAC, of 44 Center Grove Road in Randolph asked if the permits being required by the NJDEP and Green Acres involved the trees in the area. Mr. Raths said that if it has a diameter of 2½ inches or more, the NJDEP considers it a tree.

Mr. Raths said that a recommendation and additional site information would be provided to Council by the Engineering Department.

Mayor Hall returned to the order of the agenda.

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

Councilman Behrens reported that he had attended the recent State Strategic Plan meeting.

Councilman Behrens reported that Police Chief Simonetti had attended the recent Seniors Meeting and provided the group with emergency phone numbers and safety tips. The members expressed appreciation for his efforts and look forward to future visits by the Chief.

Councilman Crowley reported on the recent Water & Sewer Committee meeting.

Mayor Hall reported that the Recreation Committee would be holding a Coaches Recognition event at 9:00 a.m. on Saturday, March 10, 2012.

Mayor Hall asked Councilman Crowley if he would be willing to investigate the internet connectivity problems at the Senior Center and advise Council of possible solutions. Councilman Crowley responded affirmatively.

Deputy Mayor DeFillippo reported on the recent Water & Sewer Committee meeting and informed Council that the services of Hatch-Mott MacDonald were being used on an as-needed basis and that the staff was looking into consolidating the Request for Proposal documentation for Council to review.

Deputy Mayor DeFillippo asked Mr. Bucco why individuals are being found eligible for unemployment benefits after voluntarily electing to retire early (with partial benefits). Mr. Bucco said that he would need to look at an individual circumstance in order to respond accurately. Mrs. Reiche said she would provide information as an example for Mr. Bucco to investigate.

Mayor Hall reported on the recent State Strategic Plan meeting. He said there are significant numbers of people that are objecting to the State's proposed amendments. Council members expressed frustration about the management and format of the meeting saying that there were no microphones, no opportunity to ask questions, and very little information was provided. Deputy Mayor DeFillippo asked for it to be included in the record that the Township Planner, Russell Stern, was in attendance. She said that he would be putting together a report summarizing the meeting.

Mayor Hall reported that the Recreation Committee would be holding a Coaches Recognition Award event on Saturday, March 10, 2012 at 9:00 a.m. and an Easter Egg Hunt at Horseshoe Lake on Sunday, March 24, 2012 at 9:30 a.m.

Mayor Hall reported that three council members attended "Read Across America" event at the Library and said it was fun and successful.

Mayor Hall reported that the next Trails meeting would be held on March 17, 2012.

Mr. Raths reported that Mr. Blood was in the process of reviewing the proposed draft Library Boiler Loan Agreement that was provided by Mr. Bucco and was optimistic that it would be finalized in the near future.

Mr. Bucco reported that for the first time in recent memory the State was discussing a tax cut as opposed to an increase.

A. New Business – none

B. Old Business

1. Access Agreement – Strategic Environmental Partners/Fenimore - *previously addressed*

C. Presentations – *none*

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

1. RAMAC Roxbury Township Flying Field – *previously addressed*

PUBLIC PORTION – *previously addressed*

DRAFT ORDINANCES FOR DISCUSSION

None

INTRODUCTION OF PROPOSED ORDINANCES

None

HEARING AND ADOPTION OF ORDINANCES ON SECOND READING

None

Councilman Crowley asked why a second reading on a previously introduced ordinance was not on the agenda. Mr. Raths and Mayor Hall explained the legal obligation to allow a certain amount of time, depending on the type of ordinance, between the introduction, advertising and second reading.

INTRODUCTION AND ADOPTION OF RESOLUTIONS

2012-71 A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:

2012-72, 2012-73, 2012-74, 2012-75, 2012-76, 2012-77, 2012-78, 2012-79, 2012-80, 2012-81, 2012-82, 2012-83

Deputy Mayor DeFillippo made a motion to adopt incorporating Resolution No.2012-71. Councilman Behrens seconded the motion.

Roll Call: Councilman Behrens – Yes Councilman Crowley – Yes
Deputy Mayor DeFillippo – Yes Mayor Hall – Yes

Motion carried 4 to 0.

2012-72 A RESOLUTION AUTHORIZING THE REFUND OF UNUSED ESCROW MONIES PREVIOUSLY DEPOSITED WITH THE TOWNSHIP OF ROXBURY FOR DEVELOPMENT MATTERS PURSUANT TO CHAPTER XIII (LAND USE) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY

2012-73 A RESOLUTION AUTHORIZING THE RELEASE OF A TREE MAINTENANCE BOND POSTED BY MPG PROPERTIES, LLC FOR PROPERTY LOCATED ON 183 ROUTE 206 BLOCK 9001, LOT 9

2012-74 A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) NEPTUNE HAND-HELD METER READING UNITS FROM RIO SUPPLY, INC. FOR THE WATER UTILITY

2012-75 A RESOLUTION AUTHORIZING THE REFUND OF WATER UTILITY OVERPAYMENT

2012-76 A RESOLUTION AUTHORIZING THE REFUND OF TAXES

2012-77 A RESOLUTION TO CANCEL UNEXPENDED DEDICATED BALANCES OF GENERAL CAPITAL APPROPRIATIONS

Deputy Mayor DeFillippo asked for clarification on Resolution No.2012-77. Mr. Raths explained reasons for the resolution which included purchases and/or projects completed at a lesser cost than the originally budgeted amount (i.e.: Decommissioning of Skyview and Fire Company No.2 self contained breathing apparatus projects came in under budget) and the cancellation of old ordinances (i.e.: cancellation of the Lake Silver Spring project).

2012-78 A RESOLUTION TO CANCEL UNEXPENDED DEDICATED BALANCES OF SEWER CAPITAL APPROPRIATIONS

2012-79 A RESOLUTION TO CANCEL UNEXPENDED DEDICATED BALANCES OF WATER CAPITAL APPROPRIATIONS

2012-80 A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO PREFERRED BUILDER'S FOR THE MODIFICATIONS TO THE EQUIPMENT BAY FOR FIRE COMPANY # 3

Mr. Raths pointed out that the word "Resolution" was misspelled in the title of the resolution attached to the original agenda. Mrs. Rhead said she would correct the final version.

2012-81 A RESOLUTION AUTHORIZING THE PURCHASE OF ONE PICKUP TRUCK WITH PLOW FROM FLEMINGTON CHEVY BUICK GMC CADILLAC, LLC

Deputy Mayor DeFillippo asked for clarification on the actual cost of the vehicle associated with Resolution No.2012-81. Mr. Raths and Mrs. Spring responded that \$33,439.00 of the 2011 budgeted amount of \$50,000.00 was being requested and the utility body and lift gate would be ordered separately at a later date.

2012-82 A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF ROXBURY IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY SUPPORTING THE EMPLOYMENT INITIATIVE PROGRAM (EIP) OF THE NEW JERSEY EMPLOYER SUPPORT GUARD AND RESERVES (ESGR)

2012-83 A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

PERSONNEL CHANGES

None

COMMUNICATIONS

March 2, 2012

#1, Item "A" Correspondence from Christopher Raths, Township Manager, to Mayor and Council, dated March 2, 2012, re: Information Update – Main Street Streetscaping Committee

Deputy Mayor DeFillippo asked if a date had been confirmed for the "Value This" Main Street fundraising event. Mr. Raths said that it would probably be either the 22nd or 29th of September.

#1, Item "E" Correspondence from Christopher Raths, Township Manager, to Mayor and Council, dated March 2, 2012, re: Information Update – Trails

Deputy Mayor DeFillippo was glad to see that the Horseshoe Lake Trail construction project had an expected start date.

#1, Item "I" Correspondence from Christopher Raths, Township Manager, to Mayor and Council, dated March 2, 2012, re: Information Update – Berkshire Valley Nutrition Site

Deputy Mayor DeFillippo asked if five vehicles would actually be able to park at the site. Mr. Rath assured her that it was a realistic plan.

#1, Item “N” Correspondence from Christopher Rath, Township Manager, to Mayor and Council, dated March 2, 2012, re: Information Update – Hercules House

Deputy Mayor DeFillippo was pleased to see that the Historic Advisory Committee had committed to maintaining and repairing the Sears house so that the structure could eventually be restored and relocated as originally planned.

#1, Item “S” Correspondence from Christopher Rath, Township Manager, to Mayor and Council, dated March 2, 2012, re: Information Update – Horseshoe Lake Trail

Mayor Hall mentioned that the opening of the trail at Horseshoe Lake is being planned to take place on National Trails Day in June. Mayor Hall also mentioned that future celebrations would be held for the openings of Righter Road and Dell Avenue Fields.

#8 Correspondence from Jeffrey W. Swanson, Roxbury High School Principal, to Mayor Fred Hall, dated February 28, 2012, re: Good Samaritan Award nominees

Deputy Mayor DeFillippo suggested that the Council also recognize the students being awarded as Good Samaritans. Mayor Hall stated that Mrs. Rhead was already working on creating an award for the students. Mr. Bucco asked Mrs. Rhead to provide his office with the details of when and where the presentations would be taking place so that he or a representative could also present these young men with a joint Senate Assembly Citation.

#10 Public Notice from the Roxbury Township Board of Education, dated February 29, 2012, re: Special Meeting to be held on March 6, 2012 & March 7, 2012 at 6:00p.m. for the purpose of the superintendent search

Councilman Behrens advised that meeting notifications are required by law to be announced and posted, but that the above-referenced Board of Education Special Meeting would be held in executive session and there would not be an opportunity for public participation during that portion of the superintendent search process.

PUBLIC PORTION

Robert Kluska

274 Emmans Road, Flanders

Mr. Kluska referred to a previous Council Meeting and a discussion about having veterans join the police force. He said he was disappointed that Chief Simonetti did not support legislation regarding prioritizing the hiring of United States Military Veterans. Mr. Rath and Councilman Behrens corrected Mr. Kluska and said he must have misunderstood as Chief Simonetti has consistently and unequivocally promoted waiving the four year college degree requirement by allowing a two-year degree for veterans and has prepared a proposal in that regard to be presented to Council in the near future.

Mr. Kluska asked for further information regarding resolution numbers 2012-77, 2012-78, and 2012-79 that cancelled unexpended funds. Mr. Rath explained the process and said that the money was moved to the Capital Budget.

Ralph Nappi

29 Ford Road, Landing

Mr. Nappi reported on his attendance at the Board of Education meeting held the previous evening. He said that the current Assistant Superintendent of Schools, Dr. Henig, would be resigning effective June 30, 2012, but that the upcoming Special Meetings are being held for the purpose of conducting a Superintendent search not an Assistant Superintendent search.

Mr. Nappi asked Mr. Bucco if the legislature would consider giving property tax credits as opposed to income tax credits. Mr. Bucco stated that there were currently two different proposals circulating. He said the Senate President is proposing property tax credits but the Assembly Democrats support the implementation of a Millionaire’s Tax to fund the program.

EXECUTIVE SESSION

2012-84 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 9:15 PM, Deputy Mayor DeFillippo made a motion to adjourn the meeting. Councilman Behrens 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 11, 2012

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