

February 23, 2010

A Regular Meeting of the Township Council of the Township of Roxbury was held on February 23, 2010 at 1715 Route 46, Ledgewood, New Jersey at 7:30 PM.

PLEDGE OF ALLEGIANCE

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 faxed to the Daily Record, the Newark Star Ledger and the Roxbury Register on December 18, 2009; notice was posted on the bulletin board in the main hallway of the Municipal Building on December 18, 2009.

ROLL CALL (Present): Councilman Gary Behrens, Councilman Fred Hall, Councilman Martin Schmidt, Councilman Tim Smith, Councilwoman Kathryn A. DeFillippo and Mayor Jim Rilee

Also Present: Christopher Rath, Township Manager; Anthony Bucco, Esq., Township Attorney; BettyLou DeCroce, Township Clerk; and Amy Rhead, Administrative Aide

Mayor Rilee was running late due to traffic caused by an unexpected snowstorm. Council members agreed to have Deputy Mayor Hall preside over the meeting until Mayor Rilee's arrival.

Absent: Councilman Richard Zoschak

APPROVAL OF MINUTES

Minutes for Approval

October 6, 2009, Budget Special Meeting
October 27, 2009, Regular Meeting
December 1, 2009, Regular Meeting
January 5, 2010, Executive Session
January 5, 2010, Regular Meeting
January 26, 2010, Executive Session
February 9, 2010 - Executive Session

Mr. Schmidt made a motion to approve the minutes as listed above. Mrs. DeFillippo seconded the motion.

Roll Call: Mr. Schmidt – Yes, abstain on October 27, 2009 Regular Meeting
Mrs. DeFillippo – Yes
Mr. Behrens – Yes
Mr. Hall – Yes
Mr. Smith – Yes

Motion Carried 5 to 0, with 1 abstention.

Executive Minutes to Be Released to the Public

None

PUBLIC PORTION

Earl Riley, 5 Lewis Drive, Byram Township, Chairman of the Lake Musconetcong Regional Planning Board advised the Council of his concerns with the absence of Mr. John Wexel for the past several months' meetings and requested that the Council declare his seat vacant. Mrs. DeFillippo stated that she would like to recommend someone as a replacement and will let Mr. Rath know.

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

A. New Business-None

B. Old Business

1. Procurement Policy – Mr. Rath stated that he has some information that he is reviewing at this time.

Deputy Mayor Hall amended the order of the agenda to address the following:

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

A. Proclamation-Read Across America – Held until Mayor Rilee’s arrival.

B. Permission to hold Race-June 7, 2010

Mr. Schmidt made a motion to approve the Race. Mr. Smith seconded the motion.

Roll Call: Mr. Schmidt – Yes Mr. Smith – Yes
 Mr. Behrens – Yes Mrs. DeFillippo – Yes
 Deputy Mayor Hall – Yes

Motion carried 5 to 0.

C. Speed Limit-International Drive South

Council members had no objection to amending the speed limit on International Drive South to 35mph. Mr. Rath stated that an ordinance would be prepared.

Mayor Rilee arrived to the meeting at 7:45 PM

Mayor Rilee amended the order of the agenda to read the following:

A. Proclamation-Read Across America

Mayor Rilee read the proclamation. He also announced that he will be commemorating “Read Across America” by reading a Dr. Seuss story at the Roxbury Public Library prior to next week’s meeting.

Mayor Rilee amended the order of the agenda to address the reports from Council under REPORTS OF COUNCIL LIAISON REPRESENTATIVES, COUNCIL COMMITTEES AND NEW BUSINESS/OLD BUSINESS Council Reports

Mr. Behrens stated that he attended the Board Of Education meeting last night.

Mrs. DeFillippo stated that she attended the Water and Sewer Committee meeting.

Mr. Schmidt stated that he attended an Eagle ceremony last weekend.

Mr. Hall stated that there will be an Imagination Station meeting tomorrow night.

Mr. Hall stated that he and Mr. Behrens attended last night’s Board Of Education meeting. Dr. Rossi, Superintendent of Roxbury schools is trying to reduce costs to the taxpayers.

Mrs. DeCroce stated the Governor has pulled the Paris Grant funding for 2010. We will work with Planning on the 2009 funding which is still in place.

Regarding the Census, Mrs. DeCroce stated she has been working with Valarie Wyble in the manager’s office who has been assisting with getting the word out about the Census without costing the Township any extra funds.

Mayor Rilee attended a Chamber Luncheon last week where the topics of traffic on Rt. 10 and the Hillside intersection were discussed. Mrs. DeFillippo, Mr. Rath and Mr. Schmidt were also in attendance.

4. 2010 Budget Reductions – hold

5. *Operating Budget Review –hold*

DRAFT ORDINANCES FOR DISCUSSION

None

INTRODUCTION OF PROPOSED ORDINANCES

05-10 AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY AND PROHIBITING THE PAYMENT OF CLAIMS FOR FIRE LOSS PRIOR TO THE PAYMENT OF MUNICIPAL LIENS OR COSTS.

Mr. Smith made a motion to introduce ordinance 05-10. Mr. Schmidt seconded the motion.

Roll Call:	Mr. Smith – Yes	Mr. Schmidt – Yes
	Mr. Behrens – Yes	Mrs. DeFillippo – Yes
	Mr. Hall – Yes	Mayor Rilee – Yes

Motion carried 6 to 0.

HEARING AND ADOPTION OF ORDINANCES ON SECOND READING

03-10 AN ORDINANCE REAFFIRMING THE VACATION OF ANY AND ALL PUBLIC RIGHTS IN AND TO THE UNIMPROVED RIGHT-OF-WAY OF McCAIN STREET IN THE TOWNSHIP OF ROXBURY, COUNTY OF MORRIS AND STATE OF NEW JERSEY

Mr. Schmidt made a motion to open ordinance 03-10 to the public for comment. Mr. Smith seconded the motion.

Roll Call:	Mr. Schmidt – Yes	Mr. Smith – Yes
	Mr. Behrens – Yes	Mrs. DeFillippo – Yes
	Mr. Hall – Yes	Mayor Rilee – Yes

Motion carried 6 to 0.

No public comment.

Mrs. DeFillippo made a motion to close ordinance 03-10 to the public. Mr. Smith seconded the motion.

Roll Call:	Mrs. DeFillippo – Yes	Mr. Smith – Yes
	Mr. Behrens – Yes	Mr. Hall – Yes
	Mr. Schmidt – Yes	Mayor Rilee – Yes

Motion carried 6 to 0.

Mr. Smith made a motion to adopt Ordinance 03-10. Mr. Schmidt seconded the motion.

Roll Call:	Mr. Smith – Yes	Mr. Schmidt – Yes
	Mr. Behrens – Yes	Mrs. DeFillippo – Yes
	Mr. Hall – Yes	Mayor Rilee – Yes

Motion carried 6 to 0.

DRAFT RESOLUTION FOR DISCUSSION

None

INTRODUCTION AND ADOPTION OF RESOLUTIONS

10-55 A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE: 10-54, 10-56, 10-57, 10-58, 10-59, 10-60, 10-61, 10-62, 10-63

Mr. Schmidt made a motion to adopt Resolution 10-55. Mr. Smith seconded the motion.

Roll Call: Mr. Schmidt – Yes Mr. Smith – Yes
Mr. Behrens – Yes Mrs. DeFillippo – Yes
Mr. Hall – Yes Mayor Rilee – Yes

Motion carried 6 to 0.

10-54 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF ROXBURY SUPPORTING THE PARIS GRANT PROGRAM THROUGH THE COUNTY OF MORRIS

10-56 A RESOLUTION AUTHORIZING A SANITARY SEWER ALLOCATION TO WOODMONT REALTY ROUTE 46 FOR THE FLEXIBLE OFFICE BUILDING LOCATED AT 1751 ROUTE 46, LEDGEWOOD, BLOCK 9603 LOTS 3 AND 4

10-57 A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO WM. STOTHOFF CO., INC. FOR THE REPLACEMENT OF THE EXISTING WELL PUMP AT THE DPW FACILITY LOCATED AT 96 NORTH DELL AVENUE, KENVIL, BLOCK 7101, LOT 8

10-58 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

10-59 RESOLUTION AUTHORIZING REFUND OF TAXES FOR A TOTALLY DISABLED VETERAN EXEMPTION

10-60 A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL PROPERTY TAXES FOR BLOCK 12701, LOTS 4 & 5 AND BLOCK 12703, LOT1

Mayor Rilee asked if this was the same parcel that the County bought. Mr. Rath stated that this was a different parcel.

10-61 A RESOLUTION AUTHORIZING THE REFUND OF TAXES

10-62 A RESOLUTION AUTHORIZING THE REFUND OF TAXES

10-63 A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

Personnel Changes

Noted

Communications

February 12, 2010 – No comment.

February 19, 2010

#6 Correspondence from William Chegwidde, Freeholder Liaison to Morris County Improvement Authority, to Mayor Rilee, dated February 11, 2010, re: Update Concerning the Progress of the Improvement Authority's Renewable Energy Pilot Program

Mrs. DeFillippo asked Mr. Rath if we are suggesting this building, 72 Eyland Avenue, the sewer plant and Fire Co. #3 and Mr. Rath confirmed.

#8 Invitation to Morris County St. Patrick's Day Parade, Saturday, March 13, 2010

Tim Smith may be attending the St. Patrick's Day parade. Mr. Rath stated that the parade route is being verified and we will let the County know by the end of the week.

PUBLIC PORTION

Robert Kluska

274 Emmans Road, Flanders

Mr. Kluska asked if the Imagination Station meeting scheduled for tomorrow night is open to the public. Mr. Hall stated he sees no reason why the public cannot show up.

Mr. Hall reminded everyone that there is still an opening on the Board of Adjustment.

Mayor Rilee amended the order of the agenda to allow for Executive Session.

At 8:05 PM, Mr. Smith made a motion to adopt Resolution 10-64 for an executive session. Mr. Schmidt seconded the motion.

Roll Call:	Mr. Smith – Yes	Mr. Schmidt – Yes
	Mr. Behrens – Yes	Mrs. DeFillippo – Yes
	Mr. Hall – Yes	Mayor Rilee – Yes

Motion carried 6 to 0.

At 8:43 PM, council members returned to the open portion of the meeting.

Mayor Rilee apologized to the members of the public for taking as long as it did.

Mayor Rilee amended the order of the agenda to discuss the 2010 budget

Administration:

Mr. Rath stated that the largest reduction is in the salary account. Mr. Rath has decided to forego the salary increase that was previously approved by the Council because of the current economic conditions.

Central Storage:

Mr. Hall asked if there was a possibility to reduce the number of people attending the League convention. Mr. Rath will provide more information.

Council:

Mayor Rilee stated that he would forego the additional salary allowable for the position of Mayor so that his salary is equivalent to the salary of the other council members.

Mr. Smith suggested a 5% reduction in the Council members' salary. Members agreed.

Mayor Rilee stated that there is a one thousand dollar line item for the Memorial Day Parade in the budget. Mayor Rilee stated that organizing the parade requires a huge commitment of time. He stated that Mrs. DeFillippo took the lead in organizing the Parade last year and asked Mr. Rath to reach out to members of the VFW Hall to

discuss their willingness to assist for this year. Mr. Raths will report back to Mayor Rilee tomorrow.

Mrs. DeFillippo stated that the Memorial Day Parade only cost the Township approximately \$500.00 for flags. She stated that she would not like to see the Parade cut from the budget. She stated that volunteers are needed.

Dues & Professional Organizations:

Mr. Raths recommended that this line item not be reduced.

Elections:

Mrs. DeCroce recommended eliminating the \$5,000 set aside for redistricting, as that will not be done until 2011.

Clerk's Office:

Mrs. DeCroce stated that the vacation buyback line item has been reduced to zero and also stated this is the lowest budget she has been operating on in her 23-year career.

Finance:

Mrs. Spring stated she has cut supplies from \$3,400.00 to \$3,222.00 and cut dues and memberships by \$1,000.00 and brought the line item down to \$200.00.

Mr. Behrens asked about the salary line item regarding the anticipated retirement in the Finance Department and Mr. Raths and Mrs. Spring indicated a decision for replacement has not been made yet.

Data Processing:

Mr. Raths stated there is a need to increase in the equipment maintenance as it was under budgeted in 2009. Mr. Hall asked if we have ever had to retrieve some information via OPRA and Mrs. DeCroce indicated we never had but could conduct a test to see if it is working.

Tax Collections:

Mrs. DeFillippo inquired about the cost for education/training and Mrs. DeCroce replied that sometimes the costs are higher than others depending on the number of credits required. Mr. Raths stated that the part-time employee will also attend training classes.

Mrs. Spring will provide Council with the amount of revenue being derived from online payments.

Tax Assessors:

Mr. Raths stated there will be a fairly substantial increase in contracted services for tax assessors.

Legal Services:

Mr. Raths stated the labor council is requesting a \$10.00 per hour increase in his rate but will hold the rates of his other staff.

Litigation:

Mr. Raths will request an opinion letter from Mr. Bucco regarding current litigation topics.

Engineering:

Mr. Raths stated he would like to hold off on the Engineering budget tonight.

Historic Preservation:

Mr. Raths stated the \$5,000 line item has been reduced to \$4,000.

Planning Board:

Mr. Raths stated the planning studies line item on the budget has been reduced significantly from 2007.

Economic Development Committee:

Mr. Rath's stated that in the past the EDC has not had any monies budgeted towards them; however, the committee has requested \$2,000 and Mr. Rath's recommends that it be approved.

Mayor Rilee stated he will hold his intended moment of silence in honor of Mike Daly, who recently passed away and served on the Open Space Committee for many years, until the next meeting when there will be greater attendance by the public.

Open Space Committee:

Mrs. Spring commented she has never seen the \$400.00 from the 2009 budget charged out. Mayor Rilee suggested that we eliminate the \$400.00 altogether and if the committee requires money they can retrieve it from the fund.

Zoning/Board of Adjustment:

Mrs. Spring stated the Township has very responsible and conscientious department heads and the Mayor/Council should be proud of them.

PUBLIC PORTION

None

Mr. Rath's stated that the Tea House that attempted to open at 101 Main Street has about \$2,000 in escrow fees that Mr. Dyrness has requested be waived. Mr. Rath's stated he is not in favor of it.

EXECUTIVE SESSION

10-64 **Previously 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 9:30pm, Mr. Smith made a motion to adjourn the meeting. Mr. Schmidt seconded the motion.

Roll Call: All in favor – Yes

Motion carried 6 to 0.

Submitted By:

BettyLou DeCrocce
Township Clerk

MINUTES APPROVED BY COUNCIL

DATE: April 27, 2010
ROLL CALL: Mr. Schmidt – Yes Mrs. DeFillippo – Yes
 Mr. Behrens – Yes Deputy Mayor Hall – Yes
 Mr. Smith – Absent Mr. Zoschak – Abstained
 Mayor Rilee - Yes