

April 27, 2010

A Regular Meeting of the Township Council of the Township of Roxbury was held on April 27, 2010 at 1715 Route 46, Ledgewood, New Jersey at 7:30 PM.

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 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
Councilwoman Kathy DeFillippo
Deputy Mayor Fred Hall
Councilman Martin Schmidt
Councilman Tim Smith (arrival 7:45PM)
Councilman Richard Zoschak
Mayor Jim Rilee

Also Present: Christopher Rath, Township Manager
Anthony Bucco, Esq., Township Attorney
BettyLou DeCroce, Township Clerk
Amy Rhead, Deputy Township Clerk

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

Mayor Rilee announced that the Township Clerk, BettyLou DeCroce was recently appointed as the Deputy Commissioner of the DCA. Mayor Rilee read the following letter that Mrs. DeCroce submitted prior to tonight's meeting:

Dear Mayor & Council:

Today I called and advised each one of you that Governor Christie appointed me as Deputy Commissioner of DCA.

I have been honored to serve the residents of Roxbury Township as a Planning Board member for 4 years and 21 years 4 months as the Municipal Clerk. I believe my last count of working for elected officials in my capacity as Municipal Clerk is 33. It has been a pleasure and sometimes challenging experience which I believe has rounded me to be able to serve our governor.

As I said to Mayor Rilee in my conversations with him that all of this is "Bittersweet" for me. I am moving on in my career but leaving behind many friends. The friendships that I have in town hall and the community will last forever with me. I will only be a phone call away and more then likely working with all of you in some capacity at DCA.

Commissioner Grifa is anxious for me to start working with her as soon as possible and I have committed to her that I will be starting my new position on May 3, 2010. Therefore, I will be resigning my position with the Township Clerk at the end of the workday on April 29, 2010. I would like to add that as I leave my office, which is where I have spent almost half of my life, in the capable hands of Amy Rhead. I am confident that Amy will do an excellent job for you and the residents of Roxbury Township. Also, I would like to add that our newest staff member Michelle Pincus has already proven her abilities and is an asset to this team.

I thank each one of you for the opportunity I have had here in Roxbury Township. I would be remiss if I did not thank all the past elected and appointed officials that I served and worked with during my career. Each one of you has played a part of my life every day for the last 25 years.

*With Deepest Respect,
BettyLou DeCroce*

Mayor Rilee read the following proclamation honoring BettyLou DeCroce for her many years of dedicated service to the Township:

**PROCLAMATION OF APPRECIATION
FOR DEDICATED SERVICE TO ROXBURY TOWNSHIP**

WHEREAS, BETTYLOU DeCROCE was hired by the Township of Roxbury on January 1, 1988; and

WHEREAS, BETTYLOU DeCROCE has provided twenty-two years and four months of dedicated service to the Township of Roxbury and, in so doing, has contributed to the stature of the Township as a responsible public agency; and

WHEREAS, the Township desires to formally and publicly acknowledge BETTYLOU DeCROCE's commitment and dedication to the Township and the community of Roxbury.

NOW, THEREFORE, BE IT RESOLVED, by the Roxbury Township Council, in the County of Morris, State of New Jersey, as follows:

- 1. The members of this Township, individually and collectively, hereby formally extend to BETTYLOU DeCROCE their appreciation for the contribution that she has made to the Township and her conscientiousness and loyalty as a twenty-two year employee.*
- 2. The Township further acknowledges and extends their heartfelt appreciation to BETTYLOU DeCROCE who has set an example for other employees to follow by the excellent manner in which she performed her duties.*

April 27, 2010

Mrs. DeCroce thanked the Council.

Mayor Rilee returned to the order of the agenda.

APPROVAL OF MINUTES

February 23, 2010 – Regular Meeting Minutes

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

Roll Call: Mr. Schmidt – Yes Mrs. DeFillippo – Yes
 Mr. Behrens – Yes Deputy Mayor Hall – Yes
 Mr. Zoschak – Abstain
 Mayor Rilee – Yes

Motion carried 5 to 0 with 1 abstention.

PUBLIC PORTION

Samuel Vaia

Port Morris & Independence Township

Mr. Vaia claimed that, after speaking at last week's Council meeting about issues at the McNear property, he has been harassed by the family and the owners of the company. Mr. Vaia informed the Council that he has filed an OPRA request with the Township Clerk's office to obtain documents that will verify his statements in reference to the plans and the agreement. Mr. Vaia stated that he is not blaming anyone, but wants to make people aware of situations that affect the water and aquifer, such as stormwater run-off.

Mr. Raths responded to the concerns that Mr. Vaia brought up at the April 13, 2010 Township Council meeting, as follows:

- *Blasting:* Both the County and the NJDEP have been notified that there have been concerns reported to the Council. Mike Pellek, Fire & Safety Official, verified that all blasting is being conducted in accordance to regulations. It has been requested that a representative from the NJDEP be in attendance for the next scheduled blast to monitor compliance.

- *Ground Water:* The Township engineer has scheduled a meeting with the NJDEP to visit the site and measure the depths
- *Claim of 300 truckloads of solid waste:* Representatives from both the County and the NJDEP visited the site, conducted an investigation and required removal of materials from the site. A subsequent investigation found no further evidence of solid waste at the site
- *Lenel Road:* Lenel Road is not a Township owned road, but a private road; therefore, the Township has no authority to enforce any traffic rules.

Ernest Gefert

Kings Highway, Landing

Mr. Gefert stated that the blasting causes the windows in his house to shake. He also asked why so much water is being dumped onto Kings Highway.

Fran Day

74 Orben Drive, Landing

Mrs. Day asked for the Board of Education and the Council members to take the school calendar and events into consideration when scheduling the next budget meeting in order to avoid conflicts.

Mrs. Day stated that the recent student protest violated school policy. She expressed dismay at the fact that it was allowed by the administration.

Mrs. Day asked when the barriers from the blasting on Route 80 at Exit 28 would be removed. Mr. Rath stated that he had received a time-line for the removal and would get the information to her.

Craig Pedersen

9 Kelly Drive, Succasunna

Mr. Pedersen stated that there should be a zero percent tax levy and that he was in favor of a reduction in administrative costs but not in sports or world language instruction.

Chris Rogers

3 Ford Road, Landing

As a disclaimer, Mr. Rogers stated that he is speaking for himself and not as a representative of the Roxbury School Board.

Mr. Rogers suggested staff and service reductions that could be implemented in the school's budget. He stated that the County Superintendent has made statements about Roxbury schools being at levels considered over-adequacy.

In response to a request from Deputy Mayor Hall, Mr. Rath explained that municipalities are required to pay County and school taxes regardless of the economic climate or any shortfalls in tax collection rates.

Mr. Rogers suggested shared services opportunities to reduce the school budget with regard to school and Township positions.

Julie MacKay

29 Arlington Avenue, Ledgewood

Ms. MacKay expressed concern regarding several issues, including the use of lottery proceeds, unions, tax collection, school boards, the pension system and the budget process.

Debbie Longinetti

35 Jefferson Drive, Flanders

Ms. Longonetti spoke about the school budget and the salary increases that were awarded to the Roxbury teaching staff. She said that citizens cannot afford to pay more taxes. She stated that discipline is lacking in the classrooms. She suggested that the Roxbury school system undergo a complete reorganization.

Chris Laureys
220 Mooney Road, Flanders

Mr. Laureys stated that he was allowed only three minutes to speak at a recent Roxbury School Board meeting and asked if the Council imposes time limits for the Public Portion of the meeting. Mayor Rilee stated that the Council welcomes input from the members of the community and generally does not need to impose time constrictions. Mr. Laureys distributed a handout entitled "Alarming Facts about the Roxbury School District". Mr. Laureys stated that he is in favor of the district exploring consolidation efforts. He also stated that the school budget process should be more open.

Dennis Wine
4 Holly Drive, Succasunna

Mr. Wine encouraged members of the public to continue to participate and show interest in the actions of the Township Council as well as the Board of Education.

Mr. Wine asked about the rules regarding prevailing wage and the use of union contractors for recent construction projects within the Township. Mr. Bucco and Mr. Smith responded.

Mr. Kluska
274 Emmans Road

Mr. Kluska requested that the agendas be posted online by Monday mornings.

Kathy Murphy
Landing

Ms. Murphy stated that she appreciated the professionalism exhibited by the Township Council at last year's joint meeting with the Board of Education regarding the previous defeated budget.

Mayor Rilee amended the order of the agenda to allow for the following presentation under MATTERS REQUESTED/REFERRED BY COUNCIL MEMBERS, MANAGER, ATTORNEY OR CLERK:

D. Relay For Life

Wendy Stanton, President of the Swim & Sport Club, and Cindy Alexander from the American Cancer Society discussed the upcoming "Roxbury Relay for Life" event and stated that the profits will aid local cancer survivors and caregivers.

Mayor Rilee returned to the order of the agenda.

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

Mr. Schmidt announced that a Disabled American Veteran's service van will be at Horseshoe Lake on May 10, 2010.

Mr. Zoschak spoke about the progress of the Memorial Day parade plans.

Mr. Zoschak asked about NJDEP issues regarding the Shore Hills Community Center. Mr. Rath stated that he would look into it.

Mr. Zoschak asked what was being done about the hole in Wills Road. Mr. Rath stated that he will update Mr. Zoschak upon receiving an update from the road department.

Mr. Behrens reported on the school board's reorganization meeting that he attended.

Mr. Behrens reported the on the items from the recent Freeholder's Meeting. He stated that the new Department of Community Affairs Commissioner, Lori Grifa, and Deputy Commissioner, BettyLou DeCroce, also attended the meeting.

Mrs. DeFillippo stated that she attended a recent County Railroad Committee Advisory meeting and would be sharing more details during Executive Session.

Council members agreed to the terms of offering membership to Horseshoe Lake to non-residents.

Deputy Mayor Hall stated that the library has scheduled a 50th Anniversary Grand Opening to be held on May 7th, 2010.

Deputy Mayor Hall reported on the success of the recent “Walking for a Dream” fundraising event, the proceeds of which were allocated to the rebuilding of the Imagination Station playground at Horseshoe Lake.

Deputy Mayor Hall congratulated Mrs. DeFillippo on the success of the recent National MS Society Walk Event.

Mr. Zoschak stated that the Clerk of Jefferson Township will be sending him information on paperless meetings that he will be sharing with council members upon receipt. Mayor Rilee stated that the start up costs in Randolph Township to convert to paperless meetings was approximately \$10,000.00.

Mr. Rath reported on the Township’s insurance ratings. Mayor Rilee asked for the details to be put on the township website and the next newsletter.

Mayor Rilee stated that District 25’s recently elected member of the New Jersey General Assembly, the Hon. Anthony M. Bucco, will be hosting a Grand Opening event on May 2, 2010 at his new office on Route 10 in Randolph.

A. New Business

B. Old Business

1. Procurement Policy

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

A. Proclamation-Annual Distribution of Poppies

Mayor Rilee read the proclamation.

B. Proclamation – Years of Service Recognition

C. Haiti Presentation – *postponed due to scheduling conflict with one of the students*

D. Relay For Life – *previously addressed*

**E. Block Party/Road Closure request for June 19, 2010, West Maple Ave,
Succasunna**

Mr. Zoschak made a motion to approve the road closure request for the block party. Mr. Schmidt seconded the motion.

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

Motion carried 7 to 0.

F. Open Space Advisory Committee-Unexpired Term 1/1/10-12/31/12

No recommendations

DRAFT ORDINANCES FOR DISCUSSION

None

INTRODUCTION OF PROPOSED ORDINANCES

08-10 AN ORDINANCE AMENDING CHAPTER II, ADMINISTRATIVE CODE, SECTION 2-25, OPEN SPACE, RECREATION AND FARMLAND PRESERVATION COMMITTEE AND TRUST FUND OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY AND EXPANDING THE PERMISSIBLE USES OF TRUST FUND MONIES TO INCLUDE HISTORIC PRESERVATION

Mrs. DeFillippo made a motion to introduce Ordinance No.08-10. Mr. Schmidt seconded the motion.

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

Motion carried 6 to 0 with 1 abstention.

09-10 ORDINANCE TO AMEND CHAPTER XIII, LAND DEVELOPMENT, ARTICLE VII, ZONING REGULATIONS, SECTION 13-7.5 ZONING MAP, PARAGRAPH B, ZONING MAP AMENDMENTS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY, COUNTY OF MORRIS, STATE OF NEW JERSEY

Mr. Schmidt made a motion to introduce Ordinance No.09-10. Mr. Zoschak seconded the motion.

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

Motion carried 7 to 0.

10-10 AN ORDINANCE AMENDING CHAPTER XIII, LAND DEVELOPMENT, ARTICLE VII, ZONING REGULATIONS, AND ELIMINATING SUBSIDIZED ACCESSORY APARTMENTS AS A SPECIFIC USE

(The above is shorter version of the title than was originally submitted per Mr. Bucco’s suggestion)

Mr. Smith made a motion to introduce Ordinance No.10-10. Mr. Schmidt seconded the motion.

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

Motion carried 7 to 0.

11-10 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY

EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES AND A NEW FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,500,000 TO PAY THE COST THEREOF, TO APPROPRIATE TRUST FUND MONEYS OF THE TOWNSHIP AND VARIOUS GRANTS, TO MAKE A DOWN PAYMENT OR FULLY FUND APPROPRIATIONS FROM THE CAPITAL IMPROVEMENT FUND, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

At the request of Mr. Zoschak, Mr. Rath detailed the reasons for the \$2,500,000 expenditures.

Mr. Smith made a motion to introduce Ordinance No.11-10. Deputy Mayor Hall seconded the motion.

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

Motion carried 7 to 0.

12-10 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS WATER SYSTEM IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE WATER UTILITY OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$95,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Mrs. DeFillippo made a motion to introduce Ordinance No.12-10. Mr. Schmidt seconded the motion.

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

Motion carried 7 to 0.

13-10 CAPITAL ORDINANCE OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS SANITARY SEWER SYSTEM IMPROVEMENTS AND THE ACQUISITION OF A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE SEWER UTILITY OF THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$350,000 AND PROVIDING THAT SUCH SUM SO

APPROPRIATED SHALL BE RAISED FROM THE SEWER
UTILITY CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP.

Mr. Smith made a motion to introduce Ordinance No.13-10. Mrs. DeFillippo seconded the motion.

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

Motion carried 7 to 0.

14-10 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

Mr. Rath stated that the Township is currently \$1.8 million dollars under the expenditure cap at this time.

Mr. Smith made a motion to introduce Ordinance No.14-10. Mr. Schmidt seconded the motion.

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

Motion carried 7 to 0.

HEARING AND ADOPTION OF ORDINANCES ON SECOND READING
07-10 AN ORDINANCE AUTHORIZING THE ACQUISITION OF
CERTAIN REAL PROPERTY, KNOWN AS BLOCK 10401, LOT 1,
MORE COMMONLY KNOWN AS 323 CENTER STREET, IN THE
TOWNSHIP OF ROXBURY, COUNTY OF MORRIS AND STATE
OF NEW JERSEY

(Per Mr. Bucco, the above title has been amended from the originally submitted ordinance's title to correctly reflect the Block number as 10401).

Mr. Smith made a motion to open Ordinance No.07-10 to the public. Mrs. DeFillippo seconded the motion.

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

Motion carried 7 to 0.

No public comment.

Deputy Mayor Hall made a motion to close Ordinance No.07-10 to the public. Mr. Smith seconded the motion.

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

Motion carried 7 to 0.

Mrs. DeFillippo made a motion to adopt Ordinance No.07-10. Deputy Mayor Hall seconded the motion.

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

Motion carried 7 to 0.

Mayor Rilee amended the order of the agenda to allow for the following discussion:

Council members discussed an offer by a group of residents, all of whom are Certified Public Accountants, to volunteer their time to review the defeated school budget and to submit their observations and suggestions to the Council. Concerns regarding possible perceptions of conflicts of interests were discussed. It was decided to accept the offer from the volunteer group, but to also agree to allow Mr. Raths to hire an outside agency so that their respective conclusions could be compared. Mr. Bucco advised the council to approve the appointment of the volunteers via a motion and roll call vote, but that a resolution would not be necessary.

The names of the residents who volunteered to review the school budget and submit their findings to the Council are as follows:

Ronald DeFillippis
Joseph Leonhard
Gary Smith
Robert Mazzei
Frank Farrone
Glenn Thurnes

Deputy Mayor Hall made a motion to appoint the group of volunteers, as named above, to review the defeated 2010-2011 School Budget and to submit their conclusions and suggestions to the Council upon completion. Mrs. DeFillippo seconded the motion.

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

Motion carried 6 to 0 with 1 abstention.

Mayor Rilee returned to the order of the agenda.

DRAFT RESOLUTION FOR DISCUSSION

10-102 A RESOLUTION AUTHORIZING THE APPROVAL OF A PROFESSIONAL SERVICES CONTRACT WITH CARR, DALEY, SULLIVAN & WIER, PC FOR REVIEW OF THE DEFEATED SCHOOL BUDGET

Deputy Mayor Hall made a motion to authorize Mr. Raths to enter into an agreement with a professional company for an amount not to exceed \$5,000 to evaluate the 2010-2011 defeated School Budget and to adopt Resolution No.10-102. Mrs. DeFillippo seconded the motion.

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

Motion carried 6 to 0 with 1 abstention.

INTRODUCTION AND ADOPTION OF RESOLUTIONS

10-109 A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:
10-110, 10-111, 10-112, 10-113, 10-114, 10-115, 10-116, 10-117, 10-118, 10-119, 10-120, 10-121, 10-122

Mr. Schmidt made a motion to adopt of Resolution No.10-109. Mr. Smith seconded the motion.

Roll Call: Mr. Schmidt – Yes Mr. Smith – Yes, recuse from check no. 63001
Mr. Behrens – Yes Mrs. DeFillippo – Yes
Deputy Mayor Hall – Yes Mr. Zoschak – Yes
Mayor Rilee – Yes

Motion carried 7 to 0, with a recusal on check no.63001

10-110 A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE POSTED WITH THE TOWNSHIP OF ROXBURY IN CONNECTION WITH WORK PERFORMED AND ACCEPTED IN ACCORDANCE WITH A TOWNSHIP RIGHT-OF-WAY EXCAVATION PERMIT

10-111 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

10-112 A RESOLUTION AUTHORIZING AN AGREEMENT FOR EXTRAORDINARY, UNSPECIFIABLE SERVICES WITH THE LAND CONSERVANCY OF NJ

10-113 A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO BEDFORD TECHNOLOGY, LLC FOR RECYCLED PERSONALIZED PLASTIC PICKETS FOR THE IMAGINATION STATION PLAYGROUND AT HORSESHOE LAKE PARK

10-114 A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO DENNEY LUMBER COMPANY, INC. FOR SPECIALIZED LUMBER FOR IMAGINATION STATION PLAYGROUND AT HORSESHOE LAKE PARK

10-115 A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO KUIKEN BROTHERS COMPANY FOR PLASTIC LUMBER FOR IMAGINATION STATION PLAYGROUND AT HORSESHOE LAKE PARK

10-116 A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO LEATHERS ASSOCIATES FOR PROFESSIONAL SERVICES WITHOUT COMPETITIVE BIDDING FOR THE IMAGINATION STATION PLAYGROUND

- 10-117** A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE TOWNSHIP OF ROXBURY AND HOME DEPOT U.S.A., INC

- 10-118** A RESOLUTION AUTHORIZING THE AGREEMENT FOR INSTALLATION OF ELECTRIC DISTRIBUTION FACILITIES WITH JERSEY CENTRAL POWER AND LIGHT AT THE TOWNSHIP'S PUBLIC WORKS FACILITY

- 10-119** A RESOLUTION APPROVING A CHANGE ORDER TO THE CONTRACT WITH GATES ARCHITECTURAL DESIGN, INC. FOR ARCHITECTURAL SERVICES FOR THE DESIGN OF A PUBLIC WORKS FACILITY

- 10-120** A RESOLUTION AMENDING THE MEMBERSHIP OF THE TOWNSHIP FIRE DEPARTMENT

- 10-121** A RESOLUTION AUTHORIZING THE REFUND OF SEWER UTILITY OVERPAYMENT

- 10-122** A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

INTRODUCTION OF 2010 BUDGET

10-123 MUNICIPAL BUDGET NOTICE

Mrs. DeCroce read the Municipal Budget Notice.

Mayor Rilee stated that it was a difficult budget year and spoke about efficiencies and the elimination of positions. Mr. Rath's publicly thanked the Township's department heads for their professionalism during this budget process. Council members also thanked the staff for their efforts in creating the budget.

Mr. Schmidt made a motion to adopt Resolution No.10-123. Mrs. DeFillippo seconded the motion.

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

Motion carried 7 to 0.

10-124 BUDGET EXAMINATION

Mr. Schmidt made a motion to adopt Resolution No.10-124. Mr. Smith seconded the motion.

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

Motion carried 7 to 0.

PERSONNEL CHANGES

Memo Dated April 22, 2010 from Judy Riley, Personnel Coordinator

COMMUNICATIONS

April 16, 2010

8 Correspondence from Brian F. Jacobus, Environmental Specialist, Morris County Municipal Utilities Authority, to Mayor Jim Rilee, dated April 9, 2010, re: Morris County Model Municipal Well Head Protection Ordinance

Mr. Smith asked if this is something that Mr. Bucco needs to look at. Mr. Rath stated that he will have Mr. Kobylarz prepare a summary.

April 23, 2010

#4 Correspondence from C. Richard Kamin, MBI GluckShaw, to Mayor Rilee, dated April 21, 2010, re: information on Best Green Distributors

Mr. Smith stated that a local electrician suggested that the Township use longer lasting lights. Mr. Rath stated that the issue was addressed in the energy audit.

#13 Correspondence from Chris Christie, Governor of New Jersey, to Mayor Rilee, dated April 12, 2010, re: “Tool Kit” of Reforms and Proposition 2.5

Council members agreed to support the Governor’s reform initiatives.

Mr. Smith made a motion to authorize Mayor Rilee to support Governor Christie’s Toolkit Reforms and Proposition 2.5 on behalf of the Township Council. Mrs. DeFillippo seconded the motion.

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

Motion carried 7 to 0.

PUBLIC PORTION

**Christine Bassani
42 Laurie Road, Landing**

Mrs. Bassani asked when the budget would be on the Township website. Mr. Rath replied that it would be posted by the end of the week.

**Chris Rogers
3 Ford Road, Landing**

Disclaimer: Mr. Rogers stated that he was speaking on his own behalf and not on behalf of the Board of Education.

Mr. Rogers stated that more people attend Council meetings than Board of Education meetings because there is more public trust in the Mayor and Council.

**Dennis Wine
4 Holly Drive, Succasunna**

Mr. Wine congratulated the Township Fire Department members for doing such a great job.

**Bob Remshifski
29 Conkling Road, Flanders**

Mr. Remshifski suggested that the state pass legislation allowing municipalities to have jurisdiction over school budgets. He spoke about the school budget and being in favor of replacing full-time positions with part-time positions, reducing administrative staff, reforming health benefit and pension practices, exploring shared services initiatives and reducing the school’s fund balance.

**Craig Pedersen
9 Kelly Drive, Succasunna**

Mr. Pedersen stated that he is opposed to any additional tax levy.

Maureen Castriotta
21 Salmon Road, Landing

Disclaimer: Mrs. Castriotta stated that she was speaking on her own behalf and not on behalf of the Board of Education.

Mrs. Castriotta stated that the Council should know what the definition of a “thorough and efficient education” when reviewing the budget.

EXECUTIVE SESSION

10-125 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

At 11:50 PM, Mr. Smith made a motion to adopt Resolution No.10-125 for Executive Session. Mr. Schmidt seconded the motion.

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

Motion carried 7 to 0.

At 12:00 AM, the Council exited Executive Session and returned to Open Session.

Mayor Rilee made a motion to appoint Amy Rhead as Acting Township Clerk from April 30, 2010 through December 31, 2010. Mr. Schmidt seconded the motion.

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

Motion carried 7 to 0.

Mr. Schmidt made a motion to appoint Michelle Pincus as Acting Deputy Township Clerk for a period of thirty (30) days beginning April 30, 2010. Mr. Smith seconded the motion.

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

Motion carried 7 to 0.

ADJOURNMENT

At 12:10 AM, Mr. Zoschak made a motion to adjourn the meeting. Mr. Schmidt seconded the motion

Roll Call: All in favor – Yes

Motion carried 7 to 0.

Submitted By:

Amy E. Rhead, Acting Township Clerk

MINUTES APPROVED BY COUNCIL

DATE: November 9, 2010

ROLL CALL: Mr. Smith – Yes
Mr. Hall – Yes
Mr. Behrens – Yes
Mr. Zoschak – Yes
Mayor Rilee – Yes