

**December 28, 2010**

A Special Meeting of the Township Council of the Township of Roxbury was held on December 28, 2010 at 1715 Route 46, Ledgewood, New Jersey at 7:30 PM.

**PLEDGE OF ALLEGIANCE**

**OPEN PUBLIC MEETING STATEMENT**

Adequate notice of this Special Meeting of the Township Council of the Township of Roxbury was given as required by the Open Public Meetings Act as follows: On Monday December 20, 2010, notice was faxed to the Daily Record, the Newark Star Ledger, and the Roxbury Register and posted on the bulletin board in the main hallway of the Municipal Building. In addition, notice was published in the Daily Record on Tuesday December 21, 2010.

**ROLL CALL (Present):** Councilman Gary Behrens  
Deputy Mayor Fred Hall  
Councilman Martin Schmidt  
Councilman Tim Smith  
Councilman Richard Zoschak  
Mayor Jim Rilee

**Absent:** Councilwoman Kathy DeFillippo

**Also Present:** Christopher Raths, Township Manager  
Anthony Bucco, Esq., Township Attorney  
Amy Rhead, Acting Township Clerk

**APPROVAL OF MINUTES**

None

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

Councilman Zoschak complimented the staff for their efforts in efficiently managing the roads during the recent snow storm.

**New Business**

None

**Old Business**

None

**Presentations**

None

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

**1. ROMAC Committee Appointment – no discussion**

**PUBLIC PORTION**

None

**DRAFT ORDINANCES FOR DISCUSSION**

None

**INTRODUCTION OF PROPOSED ORDINANCES**

None

**HEARING AND ADOPTION OF ORDINANCES ON SECOND READING**

**22-10** AN ORDINANCE AMENDING CHAPTER XXIV, FEES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY

Councilman Smith made a motion to open Ordinance No. 22-10 to the public.  
Councilman Schmidt seconded the motion.

Roll Call:	Councilman Smith – Yes	Councilman Schmidt – Yes
	Councilman Behrens – Yes	Deputy Mayor Hall – Yes
	Councilman Zoschak – Yes	Mayor Rilee – Yes

Motion carried 6 to 0.

*No public comment.*

Councilman Zoschak made a motion to close Ordinance No. 22-10 to the public.  
Councilman Smith seconded the motion.

Roll Call:	Councilman Zoschak – Yes	Councilman Smith – Yes
	Councilman Behrens – Yes	Deputy Mayor Hall – Yes
	Councilman Schmidt – Yes	Mayor Rilee – Yes

Motion carried 6 to 0.

Councilman Zoschak made a motion to adopt Ordinance No. 22-10. Councilman Schmidt seconded the motion.

Roll Call:	Councilman Zoschak – Yes	
	Councilman Schmidt – Yes	
	Councilman Behrens – Yes	
	Deputy Mayor Hall – Yes	
	Councilman Smith – Yes	
	Mayor Rilee – Yes, with an abstention on fee amendments in regard to Alcoholic Beverage Control licenses (24-4.1, item v)	

Motion carried 6 to 0, with one abstention on section 24-4.1, item v

**23-10** AN ORDINANCE TO AMEND CHAPTER XII, SEWER AND WATER, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO REVISE WATER RATES

Councilman Smith made a motion to open Ordinance No. 23-10 to the public.  
Councilman Schmidt seconded the motion.

Roll Call:	Councilman Smith – Yes	Councilman Schmidt – Yes
	Councilman Behrens – Yes	Deputy Mayor Hall – Yes
	Councilman Zoschak – Yes	Mayor Rilee – Yes

Motion carried 6 to 0.

*No public comment.*

Councilman Zoschak made a motion to close Ordinance No. 23-10 to the public.  
Councilman Smith seconded the motion.

Roll Call:	Councilman Zoschak – Yes	Councilman Smith – Yes
	Councilman Behrens – Yes	Deputy Mayor Hall – Yes
	Councilman Schmidt – Yes	Mayor Rilee – Yes

Motion carried 6 to 0.

Councilman Smith made a motion to adopt Ordinance No. 23-10. Councilman Zoschak seconded the motion.

Roll Call:	Councilman Smith – Yes	Councilman Zoschak – Yes
	Councilman Behrens – Yes	Deputy Mayor Hall – Yes
	Councilman Schmidt – Abstain	Mayor Rilee – Yes

Motion carried 5 to 0, with one abstention.

## **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

None

## **PERSONNEL CHANGES**

None

## **COMMUNICATIONS**

December 17, 2010

### **#2 Correspondence from Glenn Schweizer, Executive Director MCMUA, to Amy Rhead, Acting Municipal Clerk, dated December 15, 2010, re: MCMUA Water Rate Adjustment**

Councilman Smith asked about the percentage of the new rate but then realized it was two percent.

December 23, 2010

### **#3 Correspondence from Elizabeth Sebrowski, Borough Clerk, Borough of Kinnelon, to , dated December 20, 2010, re: Opposing Assembly Bill No. 2095 which Revises Requirements for Medical Service Delivery**

Councilman Zoschak asked if the Township adopted a resolution in opposition of Assembly Bill 2095. Resolution number 10-321 was adopted on October 26, 2010.

### **#7 NJLM Mayors Advisory, dated December 20, 2010, re: Conditional Veto of S-2220 – Cap on Accumulated Sick Leave**

Councilman Zoschak expressed support regarding accumulated sick leave caps.

### **#8 NJLM Mayors Advisory, dated December 21, 2010, re: Governor Signs Interest Arbitration Reform**

Councilman Zoschak expressed support regarding interest arbitration reform. Councilman Smith asked why these reforms are not being applied to teachers. Mr. Bucco stated that it would probably expand to other areas in the future.

### **#9 NJLM Mayors Advisory, dated December 21, 2010, re: Legislative Recap III. Reserve for Uncollected Taxes**

Councilman Zoschak asked if this would help with our budget. Mr. Rath stated that this is legislation, not a resolution.

## **PUBLIC PORTION**

**Fran Day**

**74 Orben Drive, Landing**

Mrs. Day stated that the Township did a great job plowing the roads.

Mrs. Day reported on the recent Board of Education meeting events.

**Christine Piccitto**

**510 Logan Drive, Landing**

Mrs. Piccitto asked if there was any update on the status of the negotiations with the sanitation union since the meeting earlier in the day. Mayor Rilee stated that the

Council has not been informed of the details of any meetings that may have occurred today and had no information to present.

**EXECUTIVE SESSION**

**10-370** 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 7:45 PM, Councilman Zoschak made a motion to adopt Resolution No. 10-370 for Executive Session. Councilman Smith seconded the motion.

Roll Call:	Councilman Zoschak – Yes	Councilman Smith – Yes
	Councilman Behrens – Yes	Deputy Mayor Hall – Yes
	Councilman Schmidt – Yes	Mayor Rilee – Yes

Motion carried 6 to 0.

*At 8:05 PM, the Council exited the closed session and returned to the open portion of the meeting.*

**ADJOURNMENT**

At 8:05 PM, Councilman Smith made a motion to adjourn the meeting. Councilman Schmidt seconded the motion.

Roll Call: All in Favor – Yes

Motion carried 6 to 0.

Submitted By:

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Amy E. Rhead  
Acting Township Clerk

**MINUTES APPROVED BY COUNCIL**

**DATE:** February 22, 2011

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