

**June 17, 2010**

A Regular Meeting of the Township Council of the Township of Roxbury, originally scheduled for June 15, 2010, was rescheduled and held on June 17, 2010 at the Municipal Building located at 1715 Route 46, Ledgewood, New Jersey at 7:30 p.m.

**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 June 08, 2010; notice was published in the Daily Record on June 11, 2010; notice was posted on the bulletin board in the main hallway of the Municipal Building on June 08, 2010.

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

**Absent:** Councilman Martin Schmidt

**Also Present:** Christopher Raths, Township Manager  
James Bryce, Esq., Associate Twp. Attorney (exited at 9:10 PM)  
Anthony M. Bucco, Esq., Township Attorney (arrived at 9:10PM)  
Amy Rhead, Acting Township Clerk

**APPROVAL OF MINUTES**

None

**Mayor Rilee amended the order of the agenda to allow for the following presentations under REPORTS OF COUNCIL LIAISON REPRESENTATIVES, COUNCIL COMMITTEES AND NEW BUSINESS/OLD BUSINESS**

**Haiti Presentation**

Joseph Soriano and Elizabeth Rosa reported on their recent benefit concert with proceeds to go to Project Haiti to assist in recovery efforts from the recent earthquake. A portion of the CD of the originally produced music was played for the Council. They reported that they were continuing to raise money by selling the soundtrack on CD's. Mayor Rilee thanked Joseph and Elizabeth and awarded them with certificates of appreciation and medals.

**Proclamation & Citation for George Wien**

Mayor Rilee read a proclamation recognizing George Wien for his work with the Roxbury Historic Trust. He also read a Joint Senate/Assembly Citation that was provided by the local state legislators in recognition of Mr. Wein's efforts.

**Recognition of Independent Auditing Committee**

Mayor Rilee presented certificates of appreciation to Ronald DeFilippis, Gary Smith, Robert Mazzei, Frank Farrone, Joseph Leonhard, Glenn Thurnes (*not present*) in recognition of their volunteer auditing efforts during the recent failed school budget process.

**Energy Audit-Summary Presentation by CHA**

Mike Tsakaloyannis and Tim Carroll of CHA recommended areas where the Township could experience energy and utility cost savings. In response to a question from Councilman Smith, Mr. Tsakaloyannis said that there was a summary available regarding the life expectancy of individual replacement parts.

**Mayor Rilee amended the order of the agenda to allow for the following discussion on Resolution No.10-172 under INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**Risk Manager**

Mr. Richard Allocca of Advent Insurance Services reviewed his proposal and gave an explanation of his fees for providing risk management services. If appointed by the governing body, he said that he would provide recommendations for improvements within approximately two months.

**10-172** A RESOLUTION AUTHORIZING ADVENT INSURANCE SERVICES GROUP TO PROVIDE RISK MANAGEMENT CONSULTING SERVICES TO THE TOWNSHIP OF ROXBURY FOR THE REMAINDER OF THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND'S 2010 POLICY PERIOD

Deputy Mayor Hall made a motion to adopt Resolution No.10-172 appointing Richard Allocca of Advent Insurance Services as the Township's Risk Manager. Councilman Behrens seconded the motion.

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

Motion carried 6 to 0.

**Mayor Rilee amended the order of the agenda to allow for a Public Portion. PUBLIC PORTION**

**Dennis Wine**  
**4 Holly Drive, Succasunna**

Mr. Wine said that he thought King Road was a private road and asked why the Township was paving it. Mr. Rath replied that the Township took over King Road approximately five years ago.

Mr. Wine asked what the implications would be if the Governor's proposal to abolish COAH is approved. Mayor Rilee responded and said that ramifications, if any, would be unknown until final legislation is enacted. Deputy Mayor Hall mentioned the time, effort and money that the Township has put forth in complying with COAH obligations and its continually changing rules. Council members expressed Roxbury's commitment to affordable housing, but agreed that the rules need to be fair and balanced.

**Robert Kluska**  
**274 Emmans Road, Flanders**

Mr. Kluska acknowledged the fantastic efforts put forth by the Township in developing the current COAH plan.

Mr. Rath stated Mr. Blood was still working on the feasibility study regarding cost savings by possibly eliminating unnecessary decorative streetlights in certain areas.

Mr. Kluska said that he was under the impression that the Township received free cable service and asked why monthly fees were being paid. Mr. Rath said that he would have to look into it. Mr. Blood responded that the bills are for network access for remote buildings. Deputy Mayor Hall added that there is proposed legislation to eliminate free cable service for municipalities, schools, firehouses, etc.

**Mayor Rilee returned to the order of the agenda.**

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

Councilman Zoschak said that, upon Senate approval, Russ Felder would be the new Chairperson of the Lake Hopatcong Commission. He also reported on seasonal staffing and the amount of grant money that the Commission was expecting to receive.

Councilman Zoschak said that a meeting should be held with both McNear and Clayton Concrete to discuss blasting procedures.

Councilman Zoschak reported that he attended the recent Senior Club meeting and they expressed safety concerns about high grass obstructing drivers' views on Righter Road behind Shop Rite and on the corner of Eyland Avenue and Route 10.

Councilman Smith reported that he was unable to attend the recent Open Space Committee meeting, but they are continuing to work on their draft Master Plan.

Councilman Smith reported that the next Water and Sewer Committee meeting would be taking place the next day.

Councilman Smith reported that representatives from the Morris County Chamber of Commerce attended the recent Economic Development Committee meeting and talks are continuing about possibly partnering with their corporation.

Councilman Smith expressed concern about loud band music at the recent Swim and Sport Club event that did not end until after midnight. Mr. Rath said that he would relay Council's concern to the Swim and Sport Club and report back.

Councilman Behrens reported on the recent Board of Education meeting and that Dr. Rossi had clarified that deferred salary increases for administrators would only take place if the budget is approved by voters. Councilman Behrens also reported the school would be implementing a pay-for-play fee for student activities. He also reported on discussions that took place regarding the Board of Education's three minute speaking rule, staffing changes, and the cover and tractor that was needed to maintain the turf field.

Deputy Mayor Hall reported that the Shared Services Committee discussed the need for a tractor for the turf field.

Deputy Mayor Hall mentioned that he attended a Board of Education meeting in a different school district to get an idea of how other districts run their meetings. He said that the district he visited did not require members of the public to fill out a form stating what their question was going to be prior to being allowed to speak at the public portion.

Councilwoman DeFillippo acknowledged the efforts of the Township resident who took the initiative to bring Relay for Life to the Swim and Sport Club. She said that there were over 125 participants and over \$19,000 was raised for cancer research.

Councilwoman DeFillippo commented that she was proud of Roxbury for their open door policy during Governor Christie's recent visit. She asked if a better public notification procedure could be implemented for future special events and Neighborhood Meetings. Deputy Mayor Hall said the subject of better notification was discussed at the recent Shared Services Committee meeting, too.

Councilwoman DeFillippo mentioned that she also noticed the high grass on the corner of Eyland Avenue and Route 10, but that the Roxbury's Woman's Club has provided and maintained a beautiful floral display on the opposite intersection.

Councilman Smith reported on a recent experience with the turf field. He said that the field became unplayable for the soccer team due to flooding from heavy rains, but that it drained within fifteen minutes after the rain ceased allowing the players to continue;

the game would not have been able to continue had they been playing on a regular, dirt field.

Deputy Mayor Hall said he thought the Governor's visit went very well and that Mayor Rilee did an outstanding job with his speech.

Deputy Mayor Hall asked Mr. Raths for a final accounting summary for costs and donations associated with the rebuilding of Imagination Station.

Deputy Mayor Hall congratulated the Memorial Day Parade Committee for organizing a successful event.

Mayor Rilee said that he attended the recent Senior Luncheon and some senior citizens had expressed concerns about the lack of bathroom facilities at the Memorial Day parade. Mr. Raths said that he would ensure that facilities are available for next year's parade.

Deputy Mayor Hall asked Mr. Raths to coordinate a committee of volunteers to help keep Horseshoe Lake facilities clean.

Councilwoman DeFillippo spoke about local religious group looking for projects congregants could volunteer for.

Deputy Mayor Hall reported on the recent Shared Services Committee meeting which Councilman Behrens, Councilman Smith and Mr. Raths also attended. An outline of shared services possibilities that were discussed will be provided to the Council prior to the next meeting. Deputy Mayor Hall also stated, for the record, that the Board of Education does not have any plans to submit a proposal to replace the Township's current Dial-A-Ride program.

**At 9:10 PM, Anthony Bucco, Esq., Township Attorney arrived and James Bryce, Associate Township Attorney, exited the meeting.**

Mayor Rilee spoke about the Governor's recent visit to Roxbury.

Mayor Rilee reported that Mt. Arlington's police chief would be retiring in the near future and asked for the Council's permission to contact their administration to see if they were interested in consolidating or sharing services. Councilman Smith spoke about the GEM organization's plan for regionalizing police services. The Council supported the Mayor's idea.

Mayor Rilee reported that Councilman Zoschak represented the Council at a recent Franklin School visit from previous Governor Christine Todd Whitman where the students celebrated completion of "one million minutes of reading".

Mayor Rilee stated that elections were held the previous week and there would be two new members on the County's Board of Chosen Freeholders.

Mayor Rilee suggested that Mr. Raths be appointed Deputy Clerk for emergency purposes only. Mr. Raths will not receive any additional compensation for assuming the title.

Deputy Mayor Hall made the motion to appoint Mr. Raths Deputy Clerk. Councilwoman DeFillippo seconded the motion.

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

Motion carried 6 to 0.

Mr. Rath reported that, although the Township has been working diligently to get the Horseshoe Lake bikeway reconfiguration completed, the Department of Environmental Protection has found that the area is the natural habitat for a rare grass, Variable Sedge, and has declared it an endangered species. As a result, the bikeway path plan will need to be relocated and will increase the project's cost by approximately \$5,000. Council members expressed extreme frustration. To avoid possibly jeopardizing the Township's permits, Mr. Rath recommended moving forward with the process to move the path, but agreed to contact local elected officials in an attempt to gain legislative support in opposition of the NJDEP's decision.

**At 9:30PM, Mayor Rilee allowed for a five (5) minute recess. The meeting resumed at 9:35PM.**

**A. New Business – no discussion**

**B. Old Business**

**1. Procurement Policy – no discussion**

**C. Presentations**

**1. Haiti Presentation – previously presented**

**2. Energy Audit-Summary Presentation by CHA – previously presented**

**3. Proclamation & Citation for George Wien – previously presented**

**4. Recognition of Independent Auditing Committee – previously presented**

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

**A. Kentwood Academy Proposal-Nutrition Site**

Mr. Rath reported that the Kentwood Academy was interested in leasing the building located on Berkshire Valley Road that used to house the Nutrition Center. Council members said they would like more information on the organization and their proposal. Mr. Rath said that he would arrange for the group to make a presentation at the next Council meeting.

**B. 9<sup>th</sup> Annual Children's Fair**

Councilman Smith made a motion to approve the 9<sup>th</sup> Annual Children's Fair.  
Councilman Zoschak seconded the motion.

Roll Call:	Councilman Smith – Yes	Councilman Zoschak – Yes
	Councilman Behrens – Yes	Councilwoman DeFillippo – Yes
	Deputy Mayor Hall – Yes	Mayor Rilee - Yes

Motion carried 6 to 0.

**C. Clean Water NJ-Car Wash Fundraisers**

The subject of runoff from car washes was brought up at the request of Councilman Schmidt. Deputy Mayor Hall mentioned that the booster clubs and schools raise a lot of money through car wash fundraisers. Mayor Rilee asked Mr. Rath to contact the Environmental Commission and have them discuss concerns and possible alternatives directly with the clubs and school.

**PUBLIC PORTION – previously held**

**DRAFT ORDINANCES FOR DISCUSSION**

None

**INTRODUCTION OF PROPOSED ORDINANCES**

**15 -10** AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER II, ADMINISTRATIVE CODE, SECTION 2-17, OFFICERS AND EMPLOYEES GENERALLY, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROXBURY, COUNTY OF MORRIS, STATE OF NEW JERSEY

Mr. Raths verified that the above amendment to the salary ordinance was for the sole purpose of awarding a \$6,500 increase in the Health Director’s salary as a result of receiving the H1N1 grant for that purpose. Council members expressed discontent that the amount was being added to the salary, thus increasing the pension base for the position.

Councilman Zoschak made a motion to adopt the Introduction of Ordinance No.15-10. Councilman Smith seconded the motion.

Roll Call: Councilman Zoschak – Yes Councilman Smith – Yes  
Councilman Behrens – Yes Councilwoman DeFillippo – Yes  
Deputy Mayor Hall – Yes Mayor Rilee – No

Motion carried 5 to 1.

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

*The following ordinances were carried from the previous meeting of May 25, 2010.*

**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

Councilman Zoschak made a motion to open Ordinance No.09-10 for public comment. Councilman Smith seconded the motion.

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

Motion carried 6 to 0.

*No public comment*

Councilman Zoschak made a motion to close Ordinance No.09-10 for public comment. Councilman Smith seconded the motion.

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

Motion carried 6 to 0.

Councilman Zoschak made a motion to adopt Ordinance No.09-10. Councilman Smith seconded the motion.

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

Motion carried 6 to 0.

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

Councilman Zoschak made a motion to open Ordinance No.10-10 for public comment. Councilman Smith seconded the motion.

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

Motion carried 6 to 0.

*No public comment*

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

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

Motion carried 6 to 0.

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

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

Motion carried 6 to 0.

**INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**10-153** A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:  
10-154, 10-155, 10-156, 10-157, 10-158, 10-159, 10-160,10-161, 10-162, 10-163, 10-164, 10-165, 10-166, 10-167,10-168, 10-169, 10-170, 10-171, 10-173, 10-174, 10-175, 10-176, 10-177,10-178, 10-179, 10-180, 10-181, 10-182, 10-183, 10-184, 10-185,10-186, 10-187, 10-188, 10-190, 10-191

Councilman Zoschak made a motion to adopt incorporating Resolution No.10-153. Councilwoman DeFillippo seconded the motion.

Roll Call: Councilman Zoschak – Yes  
Councilwoman DeFillippo – Yes  
Councilman Behrens – Yes  
Deputy Mayor Hall – Yes  
Councilman Smith – Yes  
Mayor Rilee – Yes, with abstentions on all liquor licenses approvals

Motion carried 6 to 0 with the exception of 5 to 0 with an abstention on each of the liquor license resolutions.

- 10-154** A RESOLUTION AUTHORIZING THE REFUND OF UNUSED ENGINEERING INSPECTION FEES POSTED WITH THE TOWNSHIP IN CONNECTION WITH WORK PERFORMED IN ACCORDANCE WITH A TOWNSHIP MINOR SOIL RELOCATION PERMIT
- 10-155** A RESOLUTION AUTHORIZING THE REFUND OF UNUSED ENGINEERING INSPECTION FEES TO DAVID SENECA FOR A PROJECT KNOWN AS SENECA HILLS CORP. LOCATED AT 165 LAKESIDE BLVD. BLOCK 10901, LOT 9
- 10-156** A RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED WITH THE TOWNSHIP OF ROXBURY IN CONNECTION WITH WORK PERFORMED AND ACCEPTED IN ACCORDANCE WITH VARIOUS TOWNSHIP RIGHT-OF-WAY EXCAVATION PERMITS
- 10-157** A RESOLUTION AUTHORIZING THE PURCHASE OF TWELVE (12) E-ONE EXTREME SERIES GRINDER PUMPS FOR THE SEWER UTILITY FROM WATER RESOURCE SALES AND SERVICE, LLC

Councilman Zoschak asked if the Township had received a bid from a vendor in Landing. The answer was not immediately known. Councilman Behrens mentioned the 25% difference between the low and middle bids and wanted to make sure that the low bidder's pumps were made by the manufacturer while the others were retailers.

- 10-158** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO WM. STOTHOFF CO., INC. FOR THE REPLACEMENT OF THE WELL CASING, WELL PUMP, FLOW METER AND MISCELLANEOUS PIPING AT WELL NO. 3, 30 PATRICIA DRIVE, BLOCK 7701 LOT 2

Councilman Smith asked Mr. Blood to confirm that the new well pump would have the maximum allowable pumping capacity of 150 gallons per minute (GPM) instead of the current 90GPM. Mr. Blood verified that it would be 150GPM. Councilman Smith also asked Mr. Raths to research the reason that the certification of funds shows an available balance for water Ordinance No.15-02. Mr. Raths said he would look into it.

- 10-159** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO BUILDING INSPECTION UNDERWRITERS, INC. FOR THE PROVISION OF AN ELECTRICAL SUBCODE OFFICIAL

Mr. Raths answered a question from Councilwoman DeFillippo and said that customers would be paying less than they had previously.

- 10-160** A RESOLUTION AUTHORIZING THE RELEASE OF A CASH MAINTENANCE BOND POSTED BY EMANSE ESTATE, LLC FOR THE REPLACEMENT OF TREES AT THE PROPERTY LOCATED ON 1278 ROUTE 46, LEDGEWOOD BLOCK 7502, LOT 6

- 10-161** 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



**10-162** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO FERRIERO ENGINEERING, INC. FOR ENGINEERING AND SURVEYING SERVICES INVOLVING BLOCK 5203, LOT 57, 119 MAIN STREET (DPW SITE)

Councilman Behrens inquired about wording in the resolution regarding the amount contractors could charge for their services. Mayor Rilee explained that the rules allow for twenty percent of the Township's COAH fund to be allotted to pay for Professional services.

**10-163** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO BRINKERHOFF ENVIRONMENTAL SERVICES, INC. FOR ENVIRONMENTAL SERVICES INVOLVING BLOCK 5203, LOT 57, 119 MAIN STREET (DPW SITE)

*(See comment under Resolution No. 10-162)*

**10-164** A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A NETWORK SERVER FOR THE NEW PUBLIC WORKS FACILITY FROM QUIKTEKS.COM

Deputy Mayor Hall pointed out a typographical error in the third "whereas" statement. Mrs. Rhead said that she would correct "7,6,19.00" to read "7,619.00".

**10-165** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO TILCON NEW YORK INCORPORATED FOR MILLING AND PAVING OF NYMA WAY AND KING ROAD

**10-166** A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO DENVILLE LINE PAINTING, INC. FOR LINE PAINTING VARIOUS TOWNSHIP ROADS

**10-167** A RESOLUTION AUTHORIZING THE PURCHASE OF ONE PICKUP TRUCK WITH PLOW FROM FLEMINGTON CAR & TRUCK COUNTRY FLEET SALES

**10-168** A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF ROXBURY URGING THE STATE LEGISLATURE TO ENACT LEGISLATION CONTAINING SUBSTANTIAL REFORMS TO THE POLICE AND FIRE FIGHTERS BINDING ARBITRATION PROCESS

**10-169** A RESOLUTION APPROVING THE 2009 ANNUAL AUDIT FOR THE TOWNSHIP OF ROXBURY

**10-170** A RESOLUTION AUTHORIZING AN APPLICATION FOR A NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS GRANT

**10-171** RESOLUTION APPOINTING A JOINT INSURANCE FUND COMMISSIONER AND ALTERNATE COMMISSIONER FOR THE TOWNSHIP OF ROXBURY

Mr. Rath verified that there would not be any additional compensation for assuming the additional titles.

**10-172** *voted on earlier in the meeting* – A RESOLUTION AUTHORIZING ADVENT INSURANCE SERVICES GROUP TO PROVIDE RISK MANAGEMENT CONSULTING SERVICES TO THE TOWNSHIP OF ROXBURY FOR THE REMAINDER OF THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND'S 2010 POLICY PERIOD

**10-173** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-44-008-003 FOR GREAT ATLANTIC & PACIFIC TEA COMPANY T/A A&P WINES & LIQUORS AND DIRECTING LICENSING OFFICER TO DELIVER THE SAME

- 10-174** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-44-015-006 FOR GBB ENTERPRISES LLC T/A THE MARKET PLACE @ ROXBURY AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- 10-175** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-44-006-005 FOR HET, INC. T/A KELLY'S MARKET AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- 10-176** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-33-011-003 FOR LANDING OPERATING COMPANY AND CABARET, T/A LANDING OPERATING AND CABARET AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- Councilman Behrens stated that he was not familiar with the above licensee. Mrs. Rhead responded that the above resolution was in reference to the liquor license at the Circle Lane bowling alley.
- 10-177** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-44-018-007 FOR LEDGEWOOD BK INC., T/A BOTTLE KING DISCOUNT LIQUORS AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- 10-178** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-33-004-003 FOR BENSI OF ROXBURY, LLC T/A BENSI AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- 10-179** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-33-013-007 FOR 1447 ROUTE 46 ENTERPRISES LLC T/A MULDOON'S AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- 10-180** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-33-005-015 FOR OUTBACK/METROPOLIS-I LIMITED PARTNERSHIP T/A OUTBACK STEAKHOUSE AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- 10-181** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-33-009-003 FOR GMRI, INC., T/A RED LOBSTER AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- 10-182** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-33-017-009 FOR ROSSPARK ENTERPRISES, INC. AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- 10-183** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-44-002-005 FOR PAT'S BEVERAGE LLC, T/A SHOPRITE WINE & SPIRITS AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- 10-184** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-33-012-004 FOR RUBY TUESDAY, INC., T/A RUBY TUESDAY AND DIRECTING LICENSING OFFICER TO DELIVER SAME
- 10-185** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-31-023-001 FOR SWIM & SPORT CLUB, INC. T/A SWIM AND SPORT CLUB AND DIRECTING LICENSING OFFICER TO DELIVER SAME

**10-186** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-31-024-001 FOR A & H MEEKER VFW POST #2833, INC., T/A VFW POST 2833 AND DIRECTING LICENSING OFFICER TO DELIVER SAME

**10-187** A RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE #1436-33-014-010 FOR TGI FRIDAY'S, INC., T/A TGI FRIDAY'S AND DIRECTING LICENSING OFFICER TO DELIVER SAME

**10-188** A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS  
Councilman Smith asked why the Township was paying for a uniform for a position that no longer existed. Mr. Rath said it was a contractual obligation.

**10-190** A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO MICHAEL E. HOLENSTEIN, MAI, CTA, SCGREA OF HOTZHAUER & HOLENSTEIN FOR APPRAISAL SERVICES IN CONNECTION WITH POTENTIAL OPEN SPACE ACQUISITION OF BLOCK 7, LOT 24 ("KOWALSKI TRACT") AND OTHER RELATED PROPERTY

Resolution No.10-190 was provided on the dais as an add-on to the original agenda.

**10-191** A RESOLUTION AMENDING THE MEMBERSHIP OF THE TOWNSHIP FIRE DEPARTMENT

Resolution No.10-191 was provided on the dais as an add-on to the original agenda.

Council members requested future Audit books be made available on CD instead of hard copy books.

#### **PERSONNEL CHANGES**

Changes noted in the Memo dated June 10, 2010 from Patty Reiche, Assistant to CFO.

#### **COMMUNICATIONS**

May 28, 2010

**#3 Correspondence from Christopher Rath, Township Manager, to Dave Stierli, Roxbury Township Recreation Director, dated May 24, 2010, re: Appreciation for leading the rebuilding of Imagination Station**

Deputy Mayor Hall agreed that Mr. Stierli did a wonderful job on Imagination Station.

**#15 Correspondence from John J. Zengel, Senior Loss Control Consultant, Morris Municipal Joint Insurance Fund, to Fund Commissioner, dated May 7, 2010, re: Loss Control Survey and suggestions**

Councilwoman DeFillippo mentioned the loss control survey and said that some of the recommendations could be addressed by volunteers interested in community service projects referenced earlier.

**#16 Correspondence from William G. Dressel, Jr., Executive Director, New Jersey State League of Municipalities, to Mayor Rilee, dated May 26, 2010, re: Affordable Housing Update, S-1**

Councilwoman DeFillippo asked about the Affordable Housing update. Mayor Rilee said that it would probably be best to wait for final decision.

June 4, 2010

*No discussion*

June 11, 2010

**#6 Mayors Fax Advisory, dated June 7, 2010, re: Temporary Suspension of the Local Government Energy Audit Program**

Councilman Zoschak asked about the impact of the temporary suspension of the Energy Audit Programs. Mr. Rath said that the Township met the deadline.

**#11 Correspondence from Ptl. Gregg Prendergast, Roxbury Police Department, to Chris Rath, Township Manager, dated June 10, 2010, re: Valley Auto Wreckers**

Mayor Rilee asked if some of the suggestions for improvements to Valley Auto Wreckers could be implemented soon. Mr. Rath replied that several of the violations have been addressed and that he was working on a compilation of finished items that Councilwoman DeFillippo had previously asked for.

**PUBLIC PORTION**

**Robert Kluska**

**274 Emmans Road, Flanders**

Mr. Kluska asked about the Township's plans for the structure at 119 Main Street. Mayor Rilee responded that the Township was looking into possibly using COAH money to clean the site and sell it to an organization who would erect a group home. Any proceeds would go into the Township's general fund.

**Dennis Wine**

**4 Holly Drive, Succasunna**

In reference to the bound audit books, Mr. Wine said that he thought the AICPI rules mandate distribution of tamper-proof bound books.

**EXECUTIVE SESSION**

**10-189**

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:

**Contract Negotiations:**

- Clerk's Salary

At 10:00PM, Councilman Zoschak made a motion to adopt Resolution No.10-189 for Executive Session. Councilman Smith seconded the motion.

Roll Call: All in Favor – Yes

Motion carried 6 to 0.

**At 10:15PM, the Council returned to the open session of the meeting.**

**ADJOURNMENT**

At 10:15PM, Councilwoman DeFillippo made a motion to adjourn the meeting. Councilman Behrens 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:** August 23, 2011

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