

January 17, 2012

A Budget Meeting was held by the Township Council of the Township of Roxbury on January 17, 2012 in the Municipal Building located at 1715 Route 46 in 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: On December 19, 2011, notice was faxed to the Daily Record, the Newark Star Ledger, The Roxbury Register and published in the Daily Record; notice shall also remain posted throughout the year on the bulletin board in the main hallway of the Municipal Building.

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

Absent: Councilman Richard Zoschak

Also Present: Christopher Rath, Township Manager
Amy Rhead, Acting Township Clerk
Anthony Bucco, Esq., Township Attorney (8:15PM arrival)

Staff: Lisa Spring, CFO/Treasurer
Patricia Reiche, Assistant to the CFO
Rick Blood, DPW Director
Michael Kobylarz, Township Engineer/Director of Utilities

Public: two (2) members of the public were in attendance

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

Councilman Schmidt reported on his attendance at an Eagle Scout ceremony.

Councilman Rilee met with the Fire Chief's the previous evening. A list of items that were discussed would be provided to Mr. Rath for his information and attention.

Councilman Behrens reported that he was unable to attend the recent Special Meeting of the Board of Education that was held for the purpose of approving the removal and disposal of old bleachers and purchase and installation of new ones.

Councilman Behrens reported on items discussed at the Morris County Freight Railroad Advisory Committee that he and Deputy Mayor DeFillippo attended the previous week.

Councilman Crowley reported on the recent meeting of the Information Technology Committee held with Rob Kuncken, Information Technology Director. Topics of discussion included the purchase of additional computers and the use of the Professional version of Microsoft Office. Mayor Hall stated that the Council would be discussing that item within the budget shortly.

Deputy Mayor DeFillippo also reported on the topics discussed at the Morris County Freight Railroad Advisory Committee Meeting and noted that the County has contacted several school districts about the availability of a railroad safety educational program. Councilman Behrens said that he would be forwarding the information to the Interim Superintendent for consideration.

Deputy Mayor DeFillippo reported on the recent Main Street Streetscaping Committee meeting. They are considering another “Value This” fundraiser with proceeds to be used toward the construction of sidewalks on Main Street in Succasunna.

Mayor Hall asked if plans were in place so the Main Street project could begin. Mr. Rath estimated that bid documents would be ready by the summer of 2012 and noted that even though the Township would be reimbursed, the capital funding needs to be in place prior to going out to bid.

Deputy Mayor DeFillippo reported that both she and Mayor Hall would be attending the upcoming meeting regarding the State Strategic Plan to be hosted by the Morris County Freeholders.

Mayor Hall informed Council that he would also be attending the meeting scheduled for February 27th in East Hanover regarding the State Strategic Plan.

Mayor Hall reported on the recent Grand Opening event for the new Weight Watchers location.

Mayor Hall informed Council that he had presented Father Mancini with a Proclamation during St. Therese’s recent event welcoming him to their parish.

Mrs. Rhead reported that the new Ward Boundary Map was approved by the Board of Ward Commissioners and that she and Mr. Kobylarz would begin working on the voting districts. She also informed Council that the Port Morris Firehouse would no longer be used as a voting location and that Town Hall’s Council Chambers would be added as a voting location.

A. 2012 Capital Budget

Discussions:

- Police:
 - weapons: trade-in value, age, number of rounds, rate of failure during recent qualification, reasons for requesting acquisition of forty-five weapons for forty-three officers due to back-up for repair or investigatory purposes
- Fire Dept. Company No.3:
 - Stryker stretcher versus manual
- Computer/IT: Councilman Crowley spoke about:
 - necessity to have a replacement plan
 - currently, there are no spare machines
 - too many machines and software out of warranty
 - importance of operating systems remaining current
 - acquisition of new computers; suggestion to purchase machines with Microsoft Home and Office software already installed. Mr. Rath will have the Procurement Officer coordinate a plan with Councilman Crowley.
 - new software plan should include purchase of Professional Windows applications in addition to the standard Home and Office version
 - benefit of hard drive imaging ability when identical machines are purchased
 - continuing to try and realign request of funds to accommodate a sustainable plan
- Paving: Rick Blood, Director of the DPW, joined the meeting and responded to Council questions about:
 - paving - linear mileage, cost, previous grant funding no longer available, weather related reason for non completion of 2011 goals
 - sidewalks & curbing
 - vehicle maintenance program
 - future projections, need to plan ahead for future
 - hot box patching process
 - criteria for decisions behind prioritizing 50 Roads List

- Roof at 72 Eyland Avenue: Rick Blood, Director of the DPW:
 - Square footage: 27,956 square feet
 - Estimated cost of project
 - Recommendation from Mr. Blood for Council approval of Fox Architectural to provide a roof analysis and design documents for several Township buildings
 - Mr. Raths suggested postponement until analysis complete
 - Mr. Blood reminded that postponing the Eyland Avenue project would also push back the Town Hall roof issues

- Vehicle maintenance plan: Rick Blood, Director of the DPW:
 - current vehicle maintenance plan reviewed; recommendations for improvements/enforcement/accountability
 - purpose of vehicles and amount of usage per vehicle, necessity
 - Mr. Raths reminded Council that the Township fleet has already been reduced by more than fifty percent
 - preventative maintenance; use of undercoating application, spray booth, washing of undercarriage
 - challenges include wear and tear from conditions at construction sites
 - a suggestion was made to eliminate the use of company vehicles and reimburse employees for the use of personal vehicles, instead. Mr. Raths could look into.
 - Mr. Blood said that the expectation is to get a ten to twelve year period of usefulness from new vehicle purchases
 - sharing of vehicles between departments

Mayor Hall amended the order of the agenda to allow for PUBLIC PORTION.

Laurie Amendola

3 Andre Drive, Succasunna

Ms. Amendola asked Mr. Raths to provide an update on his attempts to schedule a meeting between the Andre Drive residents about flooding issues on their properties. Mr. Raths advised who the letters were sent out to. Councilman Schmidt advised that he would like to attend the meeting.

Mayor Hall closed the Pubic Portion and returned to the order of the agenda and discussion of the 2012 Capital Budget.

- Water/Sewer: Michael Kobylarz, Township Engineer/Director of Utilities:
 - Rotating Biological Contactor (RBC) units sewage treatment process overview
 - explanation of \$7,800 shipping cost of 2 units 20,000 lbs. 24' x 12' units
 - cranes and minor site improvements needed for installation
 - recommendation for Council to tour Sewer plant

- Shippenport Annex Expansion project: Michael Kobylarz, Township Engineer/Director of Utilities:
 - status of the site plans and architectural work
 - previously planned to have volunteer members assist in completion
 - estimated \$600,000 to cover cost of structural mechanical components with hopes of receiving an \$80,000 CDBG funding
 - Mr. Raths noted that final design was needed before new cost estimate could be obtained (changes in economic climate)
 - Councilman Rilee pointed out that the Council still had not seen final plans; Mr. Kobylarz said the plans were still preliminary (from 2005). Council made it clear that they wanted to review the proposed plans before anything moves forward.
 - Port Morris location; plans for COAH site.

- Water Master Plan: Michael Kobylarz, Township Engineer/Director of Utilities:
 - 2002 was the last time the Water Master Plan (WMP) was updated and was based on projections that are inaccurate due to the unanticipated economic downturn and lack of development
 - regulations have changed since previous plan; Mr. Kobylarz said he was anticipating need for entire new plan as opposed to updated plan because of the change in economic circumstances
 - Councilman Rilee had no objection to having an analysis done, but questioned the expense. Mr. Kobylarz noted that the estimate included the build-out and system analyses that would be needed to completely recreate the Water Master Plan.
 - Councilman Rilee felt that decisions about revisions to the Water Master Plan should wait until more information is known about the impact of current development and economic factors
 - Mr. Raths stressed the importance of revisiting the Water Master Plan at a later date but felt it could be postponed
 - Deputy Mayor DeFillippo suggested appropriating a portion of the anticipated funding
 - request for formal opinion from Water and Sewer Committee
 - Council members decided to eliminate the project from the budget until more information is obtained.

- Andre Drive: Michael Kobylarz, Township Engineer/Director of Utilities:
 - contributing factors to the flooding issues being reported by residents were determined to be a result of private drainage systems that had been installed and perhaps interrupted by recent yard improvements on one of the properties
 - problems are not the result of any faulty work of the municipality
 - no indication that permits had been obtained for past residential work; however, permits have been obtained by homeowner(s) for recent projects
 - recommendation for homeowners to resolve together

- Wood Chipper:
 - Mayor Hall asked if money should be allocated for the Township's wood chipper or if it was still able to perform effectively after it sustained extensive use after the unprecedented hurricane and natural disasters. Mr. Raths said that Mr. Blood will be requesting money

Mayor Hall amended the order of the agenda to allow for PUBLIC PORTION.

Laurie Amendola

3 Andre Drive, Succasunna

Ms. Amendola asked about the money that was originally budgeted for Andre Drive. Mr. Kobylarz explained that after finding out that the drainage problems were caused by privately installed systems, he removed the money from the budget because the circumstances that caused the problems were not a result of anything the municipality did. Mr. Raths offered to assist in creating a proper plan and design. Ms. Amendola claimed that the Township is at fault for allowing runoff to be discharged into the street for the past fifteen years. Councilman Schmidt said that the water was not being discharged onto the street until the neighbor did work about three years ago and interrupted the previously working drainage. Councilman Rilee and Mr. Bucco both noted that the Township could not legally expend taxpayer dollars on a problem caused by private actions to private property. Mr. Kobylarz further stated that the Township is in compliance with all the storm drain standards.

Mayor Hall closed the Public Portion and returned to the order of the agenda.

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

None

PUBLIC PORTION – *previously addressed*

DRAFT ORDINANCES FOR DISCUSSION

None

INTRODUCTION OF PROPOSED ORDINANCES

None

HEARING AND ADOPTION OF ORDINANCES ON SECOND READING

None

INTRODUCTION AND ADOPTION OF RESOLUTIONS

None

PERSONNEL CHANGES

None

COMMUNICATIONS

January 13, 2011

#1 Correspondence from Mayor Fred Hall to Congressman Leonard Lance, dated January 10, 2012, re: Letter welcoming Congressman Lance as Roxbury's Congressional District representative due to the recent redistricting initiative and inviting him to attend a Township council meeting

Mr. Rath advised that Congressman Lance would be attending the second regular Council meeting in February.

#3 Correspondence from Gerry Scharfenberger, Ph.D., Director, State of New Jersey, Department of State Office for Planning Advocacy, to Municipal Clerk, dated January 5, 2012, re: notification of six scheduled public hearings for the draft Final State Strategic State Plan: New Jersey's State Development and Redevelopment Plan

Deputy Mayor DeFillippo reminded the public about the dates for upcoming hearings on the draft State Strategic Plan.

#6 Correspondence from Michael Egenton, Senior Vice President of Government Relations, NJ Chamber of Commerce, to Eileen Swan, Executive Director, NJ Highlands Council, dated January 11, 2012, re: letter in support of El Paso – Tennessee Gas Northeast Upgrade project

Councilman Rilee pointed out that the above correspondence item was sent to the Council in error; it was meant to be sent to the Highlands Council.

#9 Correspondence from Philip Kirschner, President, NJBIA, dated January 3, 2012, re: 2012 New Good Neighbor Award information and nomination form

Mayor Hall asked Mr. Rath to make sure the above correspondence is forwarded to the Economic Development Committee for their review and consideration.

Councilman Behrens suggested that future revised budget sheets include a date of revision. Councilman Schmidt asked that the revision number be included, as well. Council agreed that at least that the date of revision should be included on future amended budget sheets.

PUBLIC PORTION – *previously addressed*

EXECUTIVE SESSION

2012-29 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:

1. **Litigation** – County Concrete vs. the Township of Roxbury
2. **Attorney Client Privilege** – Roxwood
3. **Attorney Client Privilege** – former Fenimore Landfill site
4. **Attorney Client Privilege** – Andre Drive

At 9:30PM, Councilman Rilee made a motion to adopt Resolution No.2012-29 for Executive Session. Councilman Schmidt seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried 6 to 0.

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

Mayor Hall amended the order of the agenda to allow for action to be taken to adopt the following Resolution:

2012-30 A RESOLUTION AUTHORIZING THE SETTLEMENT OF A CIVIL ACTION ENTITLED *COUNTY CONCRETE CORPORATION, ET AL. V. TOWNSHIP OF ROXBURY, ET AL.*

Mr. Bucco read the resolution in its entirety into the record.

Councilman Schmidt made a motion to adopt Resolution No.2012-30. Councilman Behrens seconded the motion.

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

Motion carried 6 to 0.

ADJOURNMENT

At 10:15PM, Councilman Rilee made a motion to adjourn the meeting. Councilman Schmidt seconded the motion.

Voice Vote: All in Favor – Yes

Motion carried 6 to 0.

Submitted By:

Amy E. Rhead
Acting Township Clerk

MINUTES APPROVED BY COUNCIL

DATE: June 12, 2012

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