

INFORMATION 973-448-2000  
CONSTRUCTION/BLDG. 973-448-2009  
COURT 973-448-2034  
ENGINEER 973-448-2018  
FIRE OFFICIAL 973-448-2012  
HEALTH 973-448-2028  
MANAGER 973-448-2002  
MAYOR & COUNCIL 973-448-2001  
POLICE 973-448-2100  
PLANNING/ZONING 973-448-2008

## Township of Roxbury

1715 Route 46

Ledgewood, New Jersey 07852

[www.roxburynj.us](http://www.roxburynj.us)

Fax: 973-448-2111

PUBLIC WORKS 973-448-2069  
RECREATION 973-448-2015  
TAX ASSESSOR 973-448-2021  
TAX COLLECTOR 973-448-2022  
TECHNOLOGY 973-448-2099  
TOWNSHIP CLERK 973-448-2001  
TREASURER 973-448-2006  
WASTEWATER TREATMENT PLANT 973-584-5360  
WATER PLANT 973-398-2818

### AGENDA

**NOTICE** is hereby given by the Planning Board of the Township of Roxbury that a regular meeting will be held on December 2, 2009, at **7:30 p.m.** in the Municipal Building at 1715 Rt. 46, Ledgewood, N.J. and the following action may or may not be taken:

#### **ROLL CALL:**

**MINUTES:** November 4, 2009

#### **RESOLUTIONS:**

**PBA-09-016 Automotive Magic, LLC Block 2701, Lot 1 34 Berkshire Valley Road  
B-2 Zone Amended Preliminary/Final Site Plan Application**

**PBA-09-020 Fresenius Medical Care Block 4002, Lot 16 677 Route 46  
B-2 Zone Amended Preliminary/ Final Site Plan Application**

#### **APPLICATIONS:**

**PBA-09-014 Blue Vista Consulting, LLC Block 9202, Lots 1,2,9 & 10 256 Mountain Ave.  
Amended Preliminary Site Plan – Sign  
Extension of Minor Subdivision Approval for a lot line adjustment.**

**PBA-08-015 Cooke, Dwight and Phyllis Block 3801, Lot 70 53 Main Street  
Update on Extension of condition of approval.**

#### **NEW BUSINESS:**

Preservation Area Master Plan Element Discussion  
Meeting Dates for 2010

#### **CORRESPONDENCE:**

Morris Co. Soil Conservation District Correspondence on McNear Quarry & Tower Hill Ests.  
Morris Co. Planning Bd. Report for Chung Subdivision, Hillside Ave.  
Highlands Applicability App. for NJ Transit  
Roxbury Township Ordinance 25-09  
Mount Olive Township Ordinance 24-09  
Randolph Ordinance #26-09

FOR THE PLANNING BOARD  
TOWNSHIP OF ROXBURY

Eugenia Wiss, Board Secretary 11/25/09

# Township of Roxbury

1715 Route 46

Ledgewood, New Jersey 07852

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fax 973-448-2111

## AGENDA REGULAR MEETING December 1, 2009 7:30 PM

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TOWNSHIP CLERK 973-448-2001  
FINANCE DEPT. 973-448-2006  
TREATMENT PLANT 973-584-5360  
WATER PLANT 973-398-2818



RECEIVED  
NOV 25 2009

### 1. Pledge of Allegiance

### 2. 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 17, 2008; notice was posted on the bulletin board in the main hallway of the Municipal Building on December 17, 2008.

### 3. Roll Call

### 4. Approval of Minutes

#### A. Minutes for Approval

1. September 22, 2009, Regular
2. October 13, 2009, Regular
3. November 10, 2009, Regular

#### B. Executive Minutes to Be Released to the Public

1. None

### 5. Public Portion

### 6. Reports of Council Liaison Representatives, Council Committees and New Business/Old Business

#### A. New Business

#### B. Old Business

1. Procurement Policy

### 7. Matters Requested/Referred by Council Members, Manager, Attorney or Clerk

- A. Roxbury High School Gaels Marching Band Recognition
- B. Roxbury PD Promotions
- C. SSC 1 Day Liquor License December 31, 2009
- D. LHC letter of support for NJ DOT I BOAT NJ Grant

1  
2

### 8. Draft Ordinances for Discussion

None

### 9. Introduction of Proposed Ordinances

None

### 10. Hearing and Adoption of Ordinances on Second Reading

None

### 11. Draft Resolution for Discussion

None

**12. Introduction and Adoption of Resolutions**

**09-384**

A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE REGULAR COUNCIL MEETING AGENDA FOR THIS DATE:

4

**09-369**

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR FUNDING OF MUNICIPALLY SPONSORED AFFORDABLE HOUSING BETWEEN THE TOWNSHIP OF ROXBURY AND MORRIS HABITAT FOR HUMANITY

5

**09-370**

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR FUNDING OF MUNICIPALLY SPONSORED AFFORDABLE HOUSING BETWEEN THE TOWNSHIP OF ROXBURY AND 133 LANDING ROAD, INC.

9

**09-385**

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

13

**09-386**

A RESOLUTION AUTHORIZING THE REFUND OF UNUSED ENGINEERING INSPECTION FEES POSTED WITH THE TOWNSHIP IN CONNECTION WITH WORK PERFORMED IN ACCORDANCE WITH VARIOUS TOWNSHIP MINOR SOIL RELOCATION PERMITS

16

**09-387**

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO FINELLI CONSULTING ENGINEERS, INC. FOR PROFESSIONAL ENGINEERING AND ENVIRONMENTAL SERVICES FOR THE SUCCASUNNA LAKE DREDGING & TRIBUTARY BANK STABILIZATION PROJECT

18

**09-388**

A RESOLUTION AMENDING THE MEMBERSHIP OF THE TOWNSHIP FIRE DEPARTMENT

21

**09-389**

A RESOLUTION OF THE TOWNSHIP OF ROXBURY REQUESTING PLAN CONFORMANCE FROM THE HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL FOR LAND IN THE PRESERVATION AREA AS MANDATED BY THE HIGHLANDS ACT

22

**09-390**

A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

24

**13. Personnel Changes**

**14. Communications**

NOVEMBER 25, 2009

33

**15. Public Portion**

**16. Executive Session**

**09-391**

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

34

**17. Adjournment**



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Christopher Rath  
Township Manager

**April 28, 2009**

A Regular Meeting of the Township Council of the Township of Roxbury was held on April 28, 2009 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 17, 2008; notice was posted on the bulletin board in the main hallway of the Municipal Building on December 17, 2008.

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

**Also Present:** Christopher Rath, Township Manager; Anthony Bucco, Township Attorney and BettyLou DeCroce, Township Clerk

**APPROVAL OF MINUTES**

Executive Minutes Public Release – *None*

March 10, 2009 Regular Meeting

April 14, 2009 Regular Meeting

April 14, 2009 Executive Session - **HOLD until after executive session**

Deputy Mayor Rilee made a motion to approve the Regular Meeting minutes as listed above. Mr. Hall seconded the motion.

Roll Call: Deputy Mayor Rilee – Yes  
Mr. Hall – Yes  
Mr. Behrens – Yes  
Mr. Schmidt – Yes  
Mr. Smith – Yes, Abstain 04/14/09  
Mr. Zoschak - Yes, Abstain 03/10/09  
Mayor DeFillippo – Yes, Abstain 03/10/09

Motion carried 7 to 0, with two abstentions on February 10, 2009 Regular Meeting minutes and one abstention on April 14, 2009 Regular Meeting minutes.

**Mayor DeFillippo opened the meeting to the public.**

**PUBLIC PORTION**

**Dennis Wine**

**4 Holly Drive, Succasunna**

Mr. Wine asked what the Township Council's role is in addressing the School's defeated budget. Mr. Bucco explained the process regarding a defeated school budget. He explained that the Council can recommend cuts to the budget. The final budget amount will be certified to the County by the Township Council. However, the School Board is not obligated to accept the Council's specific recommendations. Mr. Wine and Council members briefly discussed issues, including flat/declining school enrollment figures and special education costs. Mr. Rath offered to forward any written/mailed comments or questions regarding the School Budget to the Board of Education.

**Mayor DeFillippo closed the meeting to the public.**

**Mayor DeFillippo amended the agenda to address 'MATTERS REQUESTED /REFERRED BY COUNCIL MEMBERS, MANAGER, ATTORNEY OR CLERK'**  
**A. Presentation- Highlands-Regional Master Plan Conformance**

Eileen Swan, Executive Director, Highlands Council, and Thomas Borden, Deputy Executive Director and Chief Counsel, gave a PowerPoint presentation regarding conformance with the Highlands Regional Master Plan.

**B. Appointment- Historic Advisory Committee - unexpired term of Cynthia DiTaranto**  
*No appointment made*

**C. Proclamation-Civic Prayer National Day**

Mayor DeFillippo read the above proclamation in its entirety.

**D. Roxbury Fire Company # 1 Ladies Auxiliary-One Day Liquor License**

Mr. Hall made a motion to approve Item D. Mr. Schmidt seconded the motion.

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

Motion carried 7 – 0.

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

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

Mr. Schmidt stated that the Grand Opening of the Community Garden Environmental Center was well attended. Mr. Schmidt also stated that, out of 76 spots, approximately 65 are sold.

Mr. Zoschak stated that Lake Hopatcong’s water level is still low. He further stated that there are numerous requests to the State to close the dam and cease the outflow. Mr. Zoschak stated that, even if those requests are successful, it could take a month or more to fill the lake.

Mr. Zoschak stated that the Fire Chief is reluctant to drive the fire trucks on Shippenport Road. Mr. Rath stated that Mr. Blood, Director of Public Works, is looking into this.

Mr. Zoschak stated that the high school Kiwanis Club was at Horseshoe Lake this past weekend cleaning.

Mr. Zoschak stated that the American flag on the Veterans Memorial is tattered and worn. Mr. Schmidt offered to replace the torn flag.

Mr. Zoschak stated that Wills Road residents have been asking about “No Dumping” signs on Atlas Road. Mr. Rath stated that the Health Department has been out on several occasions.

Mr. Zoschak also stated that the resident at 539 Wills Road is still waiting for Public Works to remove the abandoned hydrant pipe that is sticking up out of the ground.

Mr. Smith stated that the Water/Sewer Committee met last week and discussed outstanding debt, and the decreasing number of connections resulting in reduced revenues for connection fees.

Mr. Smith asked if the Open Space grant money is in jeopardy if the purchase of the Swim & Sport Club’s property is not completed by the deadline of the end of the month. Mr. Rath stated that the County is fully aware of the situation and that the funding will be still be available even if the closing is after the end of April.

Mr. Smith stated that the Economic Development Committee and the Chamber of Commerce are co-sponsoring the “Taste of Roxbury” event on May 12, 2009.

Mr. Smith stated that the Economic Development Committee had a realtor at their last meeting who stated that there are several towns that have more vacant commercial buildings than Roxbury has and it is more of a sign of the times than a reflection on Roxbury’s ability to attract businesses.

Mr. Smith stated that the Economic Development Committee reviewed a Route 46 Service Station compliance report with non-compliance being a problem on the weekends. Mr. Rath stated that he is aware of the issue.

Mayor DeFillippo asked if a sign could be displayed outside the Quality Inn advertising the “Taste of Roxbury” event. Mr. Rathes stated that someone had already contacted the Planning & Zoning Department.

Mayor DeFillippo asked about the feasibility of obtaining a permit to serve liquor (wine) at the event. BettyLou DeCrocce, Township Clerk, stated that there is not enough time prior to the event for a One Day Liquor license to be obtained.

Mr. Hall stated that he and Mr. Schmidt spoke with Freeholders Chegwidden and Cabana regarding Roxbury’s concerns about the train track situation at Horseshoe Lake.

Mayor DeFillippo stated that she spoke with Freeholder Director Gene Feyl yesterday and that Roxbury’s request to move the location of the tracks would cause the County to be ineligible for the Federal Stimulus money, which allows funding for “shovel-ready” projects only.

Mr. Hall stated that he is concerned with safety due to the tracks being within three feet of the existing bike path and the extension of the tracks will actually go over the bike path. He stated that they could just rearrange the tracks and cut it through the woods up by the other property line.

Deputy Mayor Rilee stated that Roxbury understands the “shovel-ready” concept, but wants the tracks to terminate at the Kuiken Brothers location and not to extend through Horseshoe Lake.

Mr. Schmidt stated that he is also concerned that the roadway leading to the back of the lake will need to be eliminated if this section of the track is refurbished, rendering it inaccessible and unusable. Mayor DeFillippo stated that the County feels that we should be able to use the side street by the back of the lake to gain access to it. Mr. Schmidt stated that the County is essentially ruining the best park in Morris County and that Roxbury needs to take some sort of strong action in opposition.

Mr. Hall stated that he attended the Board of Education meeting last night. He stated that there were questions about the number of secretaries that the Board of Education employs.

Mr. Hall stated that Recreation sent out final Request for Quotes for the turf field to see if the cost may have gone down due to the state of the economy.

Mr. Rathes reminded the Council that the unveiling of the Main Street Clock will take place on Sunday.

Mr. Bucco asked Ms. DeCrocce why Ordinance numbers 03-09, 04-09 and 05-09, which were introduced on April 14, 2009, are not on tonight’s agenda. Ms. DeCrocce stated that the Executive Assistant, Ms. Wyble, takes care of the agenda and that Mr. Rathes will have to check on the status of the final readings and get back to the Council with a response.

BettyLou DeCrocce updated Council members on the current status and the success of the Tab Group as funded through the PARIS Grant money.

Mayor DeFillippo stated that a meeting between NJDEP and property and business owners surrounding Lake Hopatcong took place on April 20, 2009. She stated that the outflow from the lake has been reduced and that NJDEP will be closely monitoring the situation.

Mayor DeFillippo publicly thanked the following people, departments and groups for their help in making the recent MS Walk event a success:

The Police Explorers; the Police Department; Company No.1 Fire & First Aid; the Recreation, Department and Director Dave Stierli; Emergency Management, Director Bob Hackett and EMT personnel; Mia Rathes, the Girl Scout volunteer organizer; and all the countless volunteers and walkers.

**A. New Business** *(no discussion)*

**B. Old Business** *(no discussion)*

**1. Procurement Policy** *(no discussion)*

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

- A. Presentation- Highlands-Regional Master Plan Conformance – *(previously discussed)*
- B. Appointment- Historic Advisory Committee - unexpired term of Cynthia DiTaranto
- C. Proclamation-Civic Prayer National Day - *(previously discussed)*
- D. Roxbury Fire Company # 1 Ladies Auxiliary-One Day Liquor License *(previously approved)*

**DRAFT ORDINANCES FOR DISCUSSION**

None

**INTRODUCTION OF PROPOSED ORDINANCES**

**06-09** CAPITAL ORDINANCE OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$35,640 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP

Deputy Mayor Rilee made a motion to introduce Ordinance 06-09. Mr. Smith seconded the motion.

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

Motion carried 7 – 0.

**07-09** CAPITAL ORDINANCE OF THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS SANITARY SEWER SYSTEM IMPROVEMENTS IN, BY AND FOR THE SEWER UTILITY OF THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$208,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP.

Mr. Schmidt made a motion to introduce Ordinance 07-09. Mr. Smith seconded the motion.

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

Motion carried 7 – 0.

**08-09** BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS WATER SYSTEM IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY 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 \$184,000 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

Mr. Schmidt made a motion to introduce Ordinance 08-09. Mr. Smith seconded the motion.



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

Motion carried 7 – 0.

**09-09** BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, 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 \$227,400 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

Mr. Zoschak made a motion to introduce Ordinance 09-09. Mr. Smith seconded the motion.

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

Motion carried 7 - 0

**10-09** BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE TOWNSHIP OF ROXBURY, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,397,283 TO PAY THE COST THEREOF, TO APPROPRIATE TRUST FUND MONEYS OF THE TOWNSHIP AND VARIOUS GRANTS, 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

Mr. Smith made a motion to introduce Ordinance 10-09. Mr. Schmidt seconded the motion.

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

Motion carried 7 – 0.

**HEARING AND ADOPTION OF ORDINANCES ON SECOND READING**  
None

**DRAFT RESOLUTIONS FOR DISCUSSION**  
None

**INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**09-115** A RESOLUTION INCORPORATING BY REFERENCE HEREIN AND APPROVING THE FOLLOWING NUMBERED RESOLUTIONS LISTED ON THE WORKSHOP COUNCIL MEETING AGENDA FOR THIS DATE:  
09-116, 09-117, 09-118, 09-119, 09-120, 09-121, 09-122, 09-123, 09-124, 09-125, 09-126, 09-127, 09-128

Deputy Mayor Rilee made a motion to adopt Resolution 09-115. Mr. Hall seconded the motion.

Roll Call: Deputy Mayor Rilee – Yes  
Mr. Hall – Yes  
Mr. Behrens – Yes  
Mr. Schmidt – Yes  
Mr. Smith – Yes, with a recusal on check no.52045  
Mr. Zoschak – Yes  
Mayor DeFillippo – Yes

Motion carried 7 – 0, with one recusal on check no.52045.

- 09-116** A RESOLUTION APPROVING CHANGE ORDER NO. 1 (FINAL) TO THE CONTRACT WITH REIVAX CONTRACTING CORP. FOR THE INLET RECONSTRUCTION PROJECT TOWNSHIP OF ROXBURY
- 09-117** A RESOLUTION AUTHORIZING THE RELEASE OF A MAINTENANCE GUARANTEE POSTED BY KENBAR INVESTMENTS, LLC, FOR THE DEDICATION OF HILLCREST AVENUE, LEDGEWOOD, AND THE ASSOCIATED OFF-SITE IMPROVEMENTS
- 09-118** A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE POSTED FOR RIGHT-OF-WAY EXCAVATION PERMIT NO. AUG2801 HILLSIDE AVENUE & KENTWOOD ROAD – SUCCASUNNA BLOCK 5301, LOT 35.01
- 09-119** A RESOLUTION AUTHORIZING THE RELEASE OF TWO (2) CASH BONDS TO GUARANTEE THE PLANTING OF SHADE TREES IN CONNECTION WITH 503 MAIN STREET – PORT MORRIS, BLOCK 10301, LOT 2.02 & 505 MAIN STREET – PORT MORRIS, BLOCK 10301, LOT 2.03 TO SENECA HILLS CORPORATION
- 09-120** A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY
- 09-121** A RESOLUTION IN OPPOSITION TO GOVERNOR CORZINE'S FY 2010 STATE BUDGET
- 09-122** A RESOLUTION AUTHORIZING THE PURCHASE OF FORTY-THREE (43) GATOR HAWK ARMOR LEVEL 3A VESTS
- 09-123** RESOLUTION AUTHORIZING REFUND OF TAXES FOR A TOTALLY DISABLED VETERAN EXEMPTION
- 09-124** A RESOLUTION AMENDING THE MEMBERSHIP OF THE TOWNSHIP FIRE DEPARTMENT
- 09-125** A RESOLUTION TO CANCEL UNEXPENDED DEDICATED BALANCES OF GENERAL CAPITAL APPROPRIATIONS
- 09-126** A RESOLUTION TO CANCEL UNEXPENDED DEDICATED BALANCES OF WATER CAPITAL APPROPRIATIONS
- 09-127** A RESOLUTION AUTHORIZING THE APPROVAL OF A PROFESSIONAL SERVICES CONTRACT WITH THOMAS M. FERRY, C.P.A. OF FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A. FOR REVIEW OF THE DEFEATED SCHOOL BUDGET
- 09-128** A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

Mr. Behrens asked about check no. 52064 to the Board of Education for \$5,422.50. Mr. Rath answered that the payment was for custodial charges from February and March for the Recreation Departments use of the school.

**PERSONNEL CHANGES**

**Memo dated April 22, 2009 from Judy Riley, Sr. Personnel Coordinator**

Mr. Rath stated that the “New Hire” position for the Dial-A Rile driver is replacing a full-time driver (who retired) with a part-time driver.

**COMMUNICATIONS**

April 17, 2009

April 24, 2008

Deputy Mayor Rilee made a motion to file the Communications listed above. Mr. Hall seconded the motion.

Roll Call: All in Favor – Yes

Motion carried 7-0.

**PUBLIC PORTION**

**Dennis Wine**

**4 Holly Drive, Succasunna**

Mr. Wine asked for clarification on Bond Ordinance 10-09 for “Eyland Ave. to Randolph Border”. Council members referred to the ordinance to explain that it was for resurfacing of Righter Road from Eyland Ave. to Randolph border.

Mr. Wine commended the Council for passing Resolution 09-121 “A RESOLUTION IN OPPOSITION TO GOVERNOR CORZINE’S FY 2010 STATE BUDGET”.

Mr. Wine asked about the School Board’s trash collection. Mr. Rath confirmed that the Board of Education uses an outside agency. He further stated that they did ask the Township to bid on the service, but that the Township would have to buy all new containers, which would keep our cost from being competitive.

**Robert Kuska**

**274 Emmans Road, Flanders**

Mr. Kuska asked about a portion of proposed Ordinance 06-09 and if the budgeted amount for Information Technology meant that the Township was going to get new microphones for Council chambers.

Mr. Kuska stated that tonight’s meeting was very informative. He commended the Council for their hard work and stated that he was impressed with the obvious knowledge they each have on the complicated issues they are faced with.

**EXECUTIVE SESSION**

**09-129 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 10:30 PM, Mr. Zoschak made a motion to adopt Resolution 09-129 for Executive Session. Deputy Mayor Rilee seconded the motion.

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

Motion carried 7 – 0.

At 10:55 PM, the Council exited Executive Session and returned to Open Session.

**APPROVAL OF MINUTES**

April 14, 2009 Executive Session

Mr. Zoschak made a motion to approve the Executive Session Minutes of April 14, 2009. Deputy Mayor Rilee seconded the motion.

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

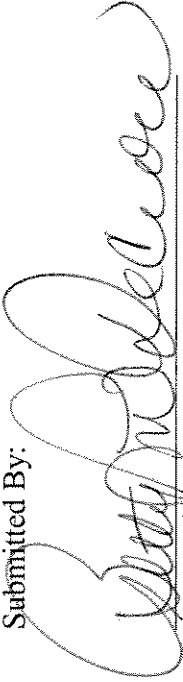
Motion carried 6 to 0, with one abstention.

**ADJOURNMENT**

At 11:00 PM, Deputy Mayor Rilee made a motion to adjourn the meeting. Mr. Schmidt seconded the motion.

All In Favor – Yes

Submitted By:



Betty Lou DeCrocce  
Township Clerk

**MINUTES APPROVED BY COUNCIL**

**DATE:** July 14, 2009

**ROLL CALL:**

Mr. Schmidt – yes Mr. Rilee – yes  
Mr. Behrens – yes Mr. Hall – yes  
Mr. Zoschak – yes Mayor DeFillippo - yes