TOWNSHIP MEETING March 18, 2020

The regular meeting of the Township Committee of Oxford Township was held on March 18, 2020 in the Oxford Township Municipal Building, 11 Green Street, Oxford, New Jersey.

In attendance were Robert Nyland, Gerald Norton, Georgette Miller, Township Committee, Michael Lavery Attorney, Michael Finelli, Engineer and by Cell Phone-Sheila L. Oberly, Municipal Clerk.

Also, in Attendance was Matthew Hall.

The flag salute was recited.

Mayor Nyland called the meeting to order at 7:00 PM.

Meeting Minutes:

On motion by Mayor Nyland, seconded by Mrs. Miller and passed unanimously on roll call vote to approve the December 11, 2019 and February 5, 2020 Meeting Minutes.

Ordinances:

ORDINANCE NO. 2020-01

ORDINANCE OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY, CREATING CHAPTER 118, ARTICLE III, TITLED ANIMALS, CREATING CAT LICENSING AND REGULATION PROCEDURES

WHEREAS, the Township Committee of the Township of Oxford has received complaints regarding feral cats; and

WHEREAS, the Township Committee believes it is in the best interests of the taxpayers of Oxford Township to enact an Ordinance establishing policies regarding licensing and regulation of cats, and

WHEREAS, Chapter 118 of Animals, Article III, Cat Licensing and Regulations shall be created to provide for the regulations and procedures outlined herein.

NOW THEREFORE BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Oxford, County of Warren, State of New Jersey, as follows:

Section 1:

Article III. Cat Licensing and Regulation.

§ 118-27. License Required.

It shall be unlawful to own, harbor or maintain a cat of more than six months of age unless the owner thereof or the person harboring or maintaining the same shall obtain and have a valid and subsisting license for such cat.

§ 118-28. License Fee; Term; Delinquent Fee.

- A. The person applying for the license and registration tag shall pay a fee as set forth below:
 - (1) All un-spayed and unneutered cats: \$11.
 - (2) All spayed and neutered cats: \$8.
- B. Persons over 65 years of age shall be entitled to a reduction of \$1 in the applicable fees.
- C. Anyone failing to secure a license after February 1 shall be required to pay an additional delinquent fee of \$2 per month, plus the regular license fee as required by this article. Cats acquired after February 1 are not subject to this provision; however, the owner must present sufficient proof to establish that said cat was acquired after February 1.

§ 118-29. Registration Tag.

The Township Clerk, at the time of issuing such license, shall register such cat as required by law. At the same time, he shall furnish to the person procuring such license a certificate thereof and also a metal tag with the number of the license stamped thereon, which metal tag must be attached to a collar about the neck of the cat at all times when the latter is at large.

§ 118-30. Running At Large Restricted.

No person owning, keeping or harboring any cat, either licensed or unlicensed, shall suffer, permit or allow it to run at large off the premises of the owner.

§ 118-31. Enforcement Officers.

The Township Committee shall appoint an Animal Control Officer and the duties shall be to enforce the provisions of this article.

§ 118-31. Duties of Animal Control Officer; Impounding and Disposition of Cats.

A. The Animal Control Officer shall take into custody and impound or cause to be taken into custody and impounded, and thereafter destroyed or offered for adoption as provided in this section:

- (1) Any cat off the premises of the owner or of the person keeping or harboring said cat which said official or his agent or agents have reason to believe is a stray cat;
- (2) Any cat off the premises of the owner or of the person keeping or harboring said cat without a current registration tag on his collar;
- (3) Any female cat in season off the premises of the owner or of the person keeping or harboring said cat;
- (4) Any cat or other animal which is suspected to be rabid;
- (5) Any cat or other animal off the premises of the owner reported to, or observed by, a certified animal control officer to be ill, injured or creating a threat to public health, safety or welfare, or otherwise interfering with the enjoyment of property.
- B. If any animal so seized wears a collar or harness having inscribed thereon or attached thereto the name and address of any person or a registration tag, or the owner or the person keeping or harboring said animal is known, any person authorized by the governing body shall forthwith serve on the person whose address is given on the collar, or on the owner or the person keeping or harboring said animal, if known, a notice in writing stating that the animal has been seized and will be liable to be offered for adoption or destroyed if not claimed within seven days after the service of the notice.

 C. A notice under this section may be served either by delivering it to the person on whom it is to be served, or by leaving it at the person's usual or last known place of abode, or at the address given on the collar, or by forwarding it by mail in a prepaid letter addressed to that person at his usual or last known place of abode, or to the address given on the collar.
 - D. The Animal Control Officer may cause an animal to be destroyed in a manner causing as little pain as possible and consistent with the provisions of N.J.S.A. 4:22-or to be offered for adoption seven days after seizure; provided that:
 - (1) Notice is given as set forth above and the animal remains unclaimed; or
 - (2) The owner or person keeping or harboring the animal has not claimed the animal and paid all expenses incurred by reason of its detention, including maintenance costs not exceeding \$25 per day; or
- (3) The owner or person keeping or harboring a cat which was unlicensed at the time of seizure does not produce a license and registration tag for the cat.

 E. At the time of adoption, the right of ownership in the animal shall transfer to the new owner. No cat or other animal so caught and detained or procured, obtained, sent or brought to a pound or shelter shall be sold or otherwise made available for the purpose of experimentation. Any person who sells or otherwise makes available any such cat or other animal for the purpose of experimentation shall be guilty of a crime of the fourth degree.
- F. After observation, any animal seized under this section suspected of being rabid shall be immediately reported to the Animal Control Officer of the Township and to the Department of Health and Senior Services.

§ 118-32. Disposition of Moneys.

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All moneys which shall be received by the Township Clerk pursuant to the provisions of this article forthwith shall be paid to the Treasurer in the same manner as now is required to remit other moneys.

§ 118-33. Interference with Enforcement.

Any person who hinders, molests or interferes with the Animal Control Officer in the discharge of his duties under the provisions of this article shall, upon conviction therefore, be punishable by the penalty provided by § 118-38.

§ 118-34. Applicability.

None of the provisions of this article shall be applicable to cats owned by nonresidents passing through the Township nor to cats brought to the Township and entered for exhibition at any cat show.

§ 118-35. Quarantines.

No person whose household has been quarantined because a case of infectious or contagious disease exists therein shall permit any cat owned or harbored by such person to run at large during the period of such quarantine.

§ 118-36. Diseased Cats.

No person or persons harboring a cat suffering from an infectious or contagious disease shall permit such cat to run at large but shall have the cat forthwith treated by a veterinarian.

§ 118-37. Removal of Tag Prohibited.

Any person who shall unlawfully remove a license tag from the collar of any licensed cat without the consent of the owner or legal custodian thereof shall be guilty of a violation of this section.

§ 118-38.

Any person who violates or refuses to comply with any provision of this Article **III** shall be liable to a penalty of not more than \$55 for each first offense and not exceeding \$1,000 for each subsequent offense, to be recorded by and in the name of the Township.

Section 2:

<u>Severability</u>. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is

adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder off this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

Tabled February 19, 2020

On motion by Mayor Nyland, seconded by Mrs. Miller and passed unanimously on roll call to table on second reading, public hearing **Ordinance 2020-01** Creating Cat Licenses until the April 15, 2020 Township Meeting.

ORDINANCE 2020-06

CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK-(AMEND ORDINANCE 2020-03) (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Oxford in the County of Warren finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 18,003.86 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Oxford Township, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Oxford shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$45,009.65, and that the CY 2020 municipal budget for the Township of Oxford be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption

ROLL CALL-INTRODUCTION (March 18, 2020)

AYES:	NAYS:	ABSTAINED:	ABSENT:	
Georgette Miller Gerald Norton Robert Nyland	NONE	NONE	NONE	

On motion by Mayor Nyland, seconded by Mrs. Miller and passed unanimously on roll call to adopt <u>Ordinance 2020-06 CAP Bank</u>, on first reading. Second reading, public hearing will be held on April 15, 2020 at 7:00 PM.

Resolutions:

RESOLUTION 2020-28

RESOLUTION AUTHORIZING THE ASSIGNMENT OF FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A. AUDITING SERVICE CONTRACT TO WIELKOTZ & COMPANY, LLC

WHEREAS, the Township of Oxford (the "Township") previously selected Ferraioli, Wielkotz, Cerullo & Cuva, P.A. as the Township Auditor for a contract period ending on January 31, 2020; and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. will cease doing business under that name as of December 31, 2019; and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. employees will become employees of Wielkotz & Company, LLC as of January 1, 2020; and

WHEREAS, the employees of Ferraioli, Wielkotz, Cerullo & Cuva, P.A. possess unique knowledge concerning the operations of the Township gained its years of experience serving as the Township Auditor; and

WHEREAS, the Township desires to recognize the assignment of the Ferraioli, Wielkotz, Cerullo & Cuva, P.A. professional services contract to Wielkotz & Company, LLC without change to the terms, conditions and rates set forth therein.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Oxford in the County of Warren, New Jersey, as follows:

- 1. The Township hereby recognizes the assignment of the Ferraioli, Wielkotz, Cerullo & Cuva, P.A. professional services contract to Wielkotz & Company, LLC, without change to the terms, conditions and rates set forth therein.
- 2. Wielkotz & Company, LLC has acknowledged that it shall assume all of Ferraioli, Wielkotz, Cerullo & Cuva, P.A.'s duties and obligations under the professional services contract. Wielkotz & Company, LLC stands behind all prior opinions rendered by Ferraioli, Wielkotz, Cerullo & Cuva, P.A. as Township Auditor.
- 3. Thomas M. Ferry, CPA, RMA of the firm Wielkotz & Company, LLC shall continue to be responsible to perform the duties and responsibilities of Township Auditor under the professional services contract.
- 4. Wielkotz & Company, LLC shall provide the following documents to the Township: (1) a valid certificate of insurance; (2) a valid Business Registration

Certificate; (3) a complete C.271 Political Contribution Disclosure Form; (4) a complete Business Entity Disclosure Certificate; and (5) a W-9.

5. Ferraioli, Wielkotz, Cerullo & Cuva, P.A. and Wielkotz & Company, LLC have indicated their acceptance to the terms and conditions of this Resolution by their signatures below on the dates indicated.

BE IT FURTHER RESOLVED, that all Township employees and officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

OXFORD TOWNSHIP WARREN COUNTY/STATE OF NEW JERSEY

RESOLUTION 2020-29 AWARD, RESURFACING OF KAUFFMAN DRIVE, SECTION 1

Be it resolved, that on March 18, 2020 the Township Committee of the Township of Oxford adopted this resolution to award unit bid prices for individual construction items to perform the necessary construction to complete the Resurfacing of Kauffman Drive, Section 1, a New Jersey Department of Transportation Local Aid funded project with a total project grant award in the amount of \$156,000.

Be it further resolved, that the Township Committee of the Township of Oxford does hereby award unit prices for individual construction items-based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$46,473.15. The award is made to the Morris County Cooperative Pricing Council vendor, Tilcon New York, which included the following items and unit prices:

ITEM NO.	DESCRIPTION UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
1,2	2" Hot Mix Asphalt (HMA) 12.5M64	631	TN	\$73.65	\$46,473.15
				TO	ΓAL \$46,473.15

Be it further resolved, that the Township Committee of the Township of Oxford does hereby award unit prices for individual construction items-based unit prices as awarded under the individual contracts awarded by the Morris County Cooperative Pricing Council bidding process with a total cost of \$121,450.00. The award is made to the Morris County Cooperative Pricing Council vendor, Road Safety Systems, LLC, which included the following items and unit prices:

ITEM NO.	DESCRIPTION UNIT	QUANTITY	UNIT	UNIT PRICE	TOTAL EXTENSION
3	Galvanized Steel Beam Guide Rail	, 1,895	LF	\$35.00	\$66,325.00
4	Tangent Guide Rail Terminals (50')	14	EA	\$3,000.00	\$42,000.00
5	Beam Guide Rail Post 6' Long	7	EA	\$100.00	\$700.00
6	Removal of Existing Beam Guide Rail	575	LF	\$7.00	\$4,025.00

TOTAL \$113,050.00

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

RESOLUTION 2020-30

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Oxford, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

TOWNSHIP OF OXFORD WARREN COUNTY, STATE OF NEW JERSEY

RESOLUTION 2020-31

BUDGET TRANSFER

WHEREAS, N.J.S.A. 40A:4-58 and 59 authorizes transfers from certain budget appropriations where it is expected that it will be insufficient, and

WHEREAS, it is reasonable expected that certain appropriations will not be sufficient for contemplated expenditures;

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer of Oxford Township, County of Warren, State of New Jersey, is hereby instructed to adjust the financial records in accordance with the provision of this Resolution:

CURRENT FUND (APPROPRIATION RESERVES)

TOTALS	\$2,000.00	\$2,000.00	—
Unemployment –Other Expenses		\$2,000.00	
Administrative and Executive-Other Expenses	\$2,000.00		
Account:	From:	<u>To:</u>	

On motion by Mrs. Miller, seconded by Mr. Norton and passed unanimously on roll call vote to approve <u>Resolution 2020-28</u>, <u>Resolution 2020-39</u>, <u>Resolution 2020-30</u> and <u>Resolution 2020-31</u>.

New Business:

TOWNSHIP OF OXFORD COUNTY OF WARREN STATE OF NEW JERSEY

RESOLUTION 2020-32

WHEREAS, the Township of Oxford is holding a meeting on March 18, 2020, for the purpose of introducing the 2020 Municipal Budget and conducting other matters; and,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Oxford, Warren County, New Jersey, that the Township of Oxford hereby petitions the Director of the Division of Local Government Services that the 2020 Local Municipal Budget be introduced and approved on March 18, 2020.

2020 OXFORD TOWNSHIP MUNICIPAL BUDGET

Surplus anticipated general revenues	\$ 250,000.00
Total Miscellaneous revenue	981,825.78
Receipts from Delinquent Taxes	225,000.00
Local Property Taxes	<u>1,020,463.00</u>
Total General Revenues	<u>2,477,288.78</u>
Salaries and Wages	\$ 433,721.00
Other Expenses	1,421,797.78
Debt Service	217,499.00
Statutory Expenditures	98,810.00
Reserve for Delinquent Taxes	305,461.00
Total 2020 Municipal Budget	<u>2,477,288.78</u>

2020 OXFORD TOWNSHIP MUNICIPAL SEWER UTILITY BUDGET

Operating Surplus Anticipated	\$ 100,000.00
Sewer Rents	1,188,542.00
Miscellaneous	6,000.00
Total General Revenues	<u>1,294,542.00</u>
Total Operations	\$ 966,060.00
Debt Service	75,777.00
Surplus Anticipated in Current Fund	250,000.00
Statutory Expenditures and Other	<u>2,705.00</u>

Motion: Norton

Second: Miller

Committee Polled: Georgette Miller, Gerald Norton, Robert Nyland-Yes

On motion by Mr. Norton, seconded by Mrs. Miller and passed unanimously on roll call vote to adopt the Introduction of 2020 Budget.

Matt Hall stated an amendment to the budget will be heard at the public hearing of the adoption of the 2020 budget to be held on April 15, 2020. He stated that the tax levy has increased by \$39,833.00 and there is a two-cent increase in taxes.

Township Committee Reports and Correspondences:

Mayor Nyland stated that he received a letter from a family asking to place a memorial bench at the Oxford Furnace Lake. He stated that he did some research and found a composite model in four different colors, weatherproof, low-maintenance, with recycled plastic boards and frame for a price of \$848.00, plus shipping.

On motion by Mayor Nyland, seconded by Mrs. Miller and passed unanimously on roll call vote to approve this bench. Mayor Nyland will reach out to the family that requested the memorial bench.

Mayor Nyland stated that Katrina sent a memo to the Committee that the solar bids should be rejected. Mr. Lavery will discuss further in Executive Session.

Mayor Nyland said that he has been receiving "tons" of e-mails about the Coronavirus. He suggested to everyone, to go on the Warren County website, to receive all the up-to-date information.

At this time, Mayor Nyland said that caution is the best thing. Mayor Nyland said that Washington Borough has closed all playgrounds and parks. Oxford Township has not authorized that but if it becomes a problem, that people are gathering, this decision will be

reviewed. Mayor Nyland said that he is in contact with the Washington Police Department on a daily basis.

Mrs. Miller stated that the Oxford Youth Association meeting has been cancelled.

Mr. Norton informed the Committee that he attended the Oxford School Board Meeting and the school board is pushing the referendum question to the November 3, 2020 General Election.

Engineer's Report:

Mr. Finelli said that NJDOT has approved Kaufman Drive Phase I and the amount received from the grant is close to the cost of the repair. Also, he has submitted Kauffman Drive Phase II to NJDOT.

Mr. Finelli will keep in touch with Jeff Magdon, Brennan, LLC and will forward all e-mails and correspondences to the Committee about OxWall.

Mr. Finelli stated that Oxford Township would not be eligible for the next phase, Phase 3 unless Phase 2 is closed out.

Mr. Norton stated, "This project has been going on too long, it is hitting six years. Should the Committee be considering someone else to do the work?" Mr. Norton stated that he hopes Brennan, LLC isn't holding this up because the Township owes \$2,000.00 for the presentation that Jeff Magdon gave on August 28, 2019 and hasn't yet received payment.

Mr. Finelli answered that he didn't think so, but was not sure.

Mayor Nyland asked Mr. Finelli to reach out to Jeff Magdon, the Committee needs to know if the second phase is closed and if third phase has been started and if not, will look for someone else to complete the project.

Attorney's Report:

Mr. Lavery said that he sent a letter on March 12, 2020 to Jim Williams, offering him the opportunity to bid on the Township's undersized lot (Block 1.01, Lot 3.05) adjacent to his house that Mr. Williams is currently using.

Mr. Lavery asked that all bids be submitted on or before April 10, 2020 and bids will be opened and awarded to the highest bidder at the April 15th, Township Meeting. Payment of

the full purchase price must be made in cash, certified or bank check made payable to Oxford Township on or before 4:00 PM on May 15, 2020, otherwise the bid will be rejected.

Mr. Lavery said he reviewed the PCFA Contract and the it's the same contract as 2019, except for a \$1.00 per ton increase.

Motion to Pay Bills:

On motion by Mr. Norton, seconded by Mrs. Miller and passed unanimously on roll call vote to approve all the bills presented at the meeting.

Public Comment:

There were no comments from the public.

EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist. The public shall be excluded from the discussion of any action upon the hereinafter-specific subject matter.

The general nature of the subject matter to be discussed is: Litigation-Oxford Textile, Contractual-Solar Bids and Shared Court Agreement.

It is anticipated at this time that the above stated subject matter will be made public at the conclusion of the litigation.

The motion carried with the following roll call vote.

On motion by Mayor Nyland, seconded by Mr. Norton and passed unanimously on roll call vote to enter Executive Session at 7:25 PM.

On motion by Mayor Nyland, seconded by Mr. Norton and passed unanimously on roll call vote to enter open session at 8:00 PM.

On motion by Mrs. Miller, seconded by Mayor Nyland and passed unanimously on roll call vote to reject all solar bids and to authorize Mr. Lavery's office to rebid the Solar Projects.

On motion by Mayor Nyland, seconded by Mrs. Miller and passed unanimously on roll call vote to have Mr. Lavery review all legal paperwork for Oxford Textile.

On motion by Mayor Nyland, seconded by Mr. Norton, and passed unanimously on roll call vote to adjourn the meeting at 8:05 PM.

Sheila L. Oberly, RMC