

**TOWNSHIP MEETING
DECEMBER 10, 2008**

The regular scheduled meeting of the Mayor and Committee of the Township of Oxford was held on December 10, 2008 in the Township Municipal Building, 11 Green Street, Oxford, New Jersey.

Mayor Bonnie Riley announced that the meeting had been properly advertised in compliance with the OPMA of 1975 and called the meeting to order at 6: 02PM.

In attendance were Bonnie Riley, N. Angelo Accetturo, William Bray, Michael Lavery, Howard Vex, Labor Attorney, Michael Finelli, and Sheila L. Oberly.

Everyone stood and recited the flag salute.

Mrs. Riley stated that the tax, and sewer reports for November 2008 are available to the public in the back of the room.

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.

1. The public shall be excluded from the discussion of any action upon the hereinafter-specific subject matter.
2. The general nature of the subject matter to be discussed is: pending litigation (50 Wall Street-Mr. Kellner).
3. 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 Mrs. Riley and seconded by Mr. Bray, to enter into Executive session at 6:05 PM.

Entered into open session at 6:55 PM on motion by Mrs. Riley and seconded by Mr. Bray. No Official Action was taken.

On motion by Mrs. Riley, seconded by Mr. Bray, to authorize Mr. Lavery to make the changes that were discussed in Executive Session to the stipulation of settlement agreement and to forward it to Mr. Kellner's attorney, Mr. Delaney.

On motion by Mrs. Riley and seconded by Mr. Bray to authorize a special meeting on December 17, 2008 at 9:00 AM in the Oxford Municipal Building to execute the agreement if it has been approved by Mr. Delaney.

ENGINEER REPORT:

Mr. Finelli discussed the Wastewater Management Plan. He spoke with Chris Guida, from PRMUA indicating that if Mr. Guida receives a letter from the Mayor or the Township Engineer, that a check for \$3,000.00 will be released to Oxford Township to help offset the cost of the plan.

On motion by Mrs. Riley and seconded by Mr. Bray to authorize Mr. Finelli to write a letter to Mr. Guida asking for \$3,000.00.

Mr. Finelli stated that the deadline for the WMP to be submitted to the NJDEP is July 7, 2009 with the cost to Oxford Township, estimated to be at least \$50,000.00.

Mr. Finelli left the meeting at 7:15 PM.

Betty Wysocki, Animal Control Officer attended the meeting to answer any questions from residents in regard to dogs or cats. The Mayor asked Mrs. Wysocki, if she sent the animal control officer to Mrs. Spink's house to inquire about her cats or dogs. Mrs. Wysocki stated No. She also stated that she picks up all stray cats in the Township and takes them to Common Sense for Animals.

Sharon Cooper from Brown & Brown stated that Oxford Township has been a charter member of the Public Alliance Insurance Coverage Fund (PAIC) since January 1, 1997 and that over the last six years; Oxford has received a return of surplus in the amount of \$57,225.00. The premium for 2008 was \$91,595 and for 2009, it will be \$97,075 a difference of \$5,480. She also said that at the Executive Committee meeting of PAIC, approval was granted for a return of surplus for the year 2009, in the amount of \$3,621.

RESOLUTION 2008-97

**PUBLIC ALLIANCE INSURANCE COVERAGE FUND
RESOLUTION TO JOIN**

WHEREAS, a number of local units have joined together to form the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**", as permitted by N.J.S.A. 40A: 10-36; and

WHEREAS, the statutes governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a **Fund**; and

WHEREAS, the Township of Oxford, hereinafter referred to as "**Public Entity**" has determined that membership in the Public Alliance Insurance Coverage Fund is in the best interest of the local unit; and

WHEREAS, the **Public Entity** agrees to be a member of the **Fund** for a period of three (3) years, effective January 1, 2009 at 12:01 a.m. standard time and said membership to terminate on January 1, 2012 at 12:01 a.m. standard time; and

WHEREAS, the **Public Entity** has never defaulted on claims if self-insured and has not been canceled for non-payment of insurance premiums for two (2) years prior to this Resolution.

NOW THEREFORE, BE IT RESOLVED that the **Public Entity** does hereby agree to join the Public Alliance Insurance Coverage Fund for all types of coverage offered by the **Fund** which are applicable to the **Public Entity**; and

NOW THEREFORE, BE IT RESOLVED that the **Public Entity** will be afforded the following types of coverages:

- Workers' Compensation
- Package - Property, Boiler & Machinery, Crime, Auto & General Liability, Police
- Professional Liability & Environmental Impairment Liability
- Public Officials Liability

BE IT FURTHER RESOLVED that Bonnie Riley is hereby appointed as the **Public Entity's** fund commissioner; and

BE IT FURTHER RESOLVED that the **Public Entity's** fund commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership of the **Fund** as are required by the **Fund's** bylaws and to deliver same to the Administrator of the **Fund** with the express reservation that said documents shall become effective only upon the **Public Entity's** admission to the **Fund**.

This Resolution agreed to the tenth day of December 2008, by a vote of:

<u> 3 </u> Affirmative	<u> 0 </u> Abstain
<u> 0 </u> Negative	<u> 0 </u> Absent

On motion by Mrs. Riley, seconded by Mr. Accetturo and passed unanimously on roll call vote to adopt **Resolution 2008-97** to join PAIC for a three year term to terminate on January 1, 2012 at 12:01 a.m. standard time.

Sharon Cooper said that she would be available to come to any of our meetings to review Oxford's insurance coverage and to answer any questions the Committee or residents may have, just to call her with a date.

On motion by Mr. Accetturo, seconded by Mrs. Riley and passed unanimously on roll call vote to approve the October 15th and November 5th, 2008 meeting minutes.

Ordinance 2008-16- Chapter 77A, “Sewers,” of the Code of the Township of Oxford shall be amended, revised and supplemented to increase the sewer connection fees-Second Reading was opened to public hearing on motion by Mrs. Riley and seconded by Mr. Accetturo. There was no public comments or questions, the public hearing was closed.

On motion by Mr. Accetturo, seconded by Mr. Bray and passed unanimously on roll call vote to adopt **Ordinance 2008-16.**

ORDINANCE NO. 2008-19

ORDINANCE OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY, TO AMEND AND SUPPLEMENT CHAPTER 240, “PEACE AND GOOD ORDER”.

WHEREAS, the State of New Jersey prohibited municipalities from passing ordinances prohibiting public drunkenness; and

WHEREAS, a class action lawsuit has been filed against towns, which prohibit public drunkenness, and whereas the Township of Oxford has a prohibition on public drunkenness in Chapter 240 titled, “Peace and Good Order”;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Oxford, County of Warren, State of New Jersey, that Chapter 240, “Peace and Good Order”, shall be amended as follows:

Section 1.

Chapter 240, “Peace and Good Order” shall be amended to delete Section 73-1A (1) and the remainder of that section of the Ordinance shall be renumbered accordingly.

Section 2.

Should any part or parts of this Ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.

Section 3.

Severability. 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 of this Ordinance shall not be affected thereby.

Section 4.

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

Section 5.

Effective Date. This Ordinance shall take effect upon its passage and publication as required by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Oxford held on December 10, 2008 at 6:00 PM., and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on January 07, 2009 at 6:00 PM. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 11 Green Street, Oxford, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

On motion by Mr. Accetturo, seconded by Mrs. Riley and passed unanimously on roll call vote to introduce on first reading, **Ordinance 2008-19 To Amend and Supplement Chapter 240, "Peace and Good Order."**

ORDINANCE NO. 2008-20

ORDINANCE OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING AN EXCHANGE OF LAND WITH DEBRA K. DOCKER PURSUANT TO N.J.S.A. 40A:12-16.

WHEREAS, Debra K. Docker has requested that the Township of Oxford engage in an exchange of land with the Township to correct an existing condition regarding a driveway located on Lot 18, Block 59 owned by the Township, adjacent to Block 2, Lot 59, owned by Ms. Docker; and

WHEREAS, the property owner has agreed to convey an amount of property of equal size on the adjacent property to the Township; and

WHEREAS, the Township determined that, as the properties being exchanged are the exact same size and as such are of equal value; and

WHEREAS, the exchange of property will correct an existing condition with regard to a driveway presently located on Township property; and

WHEREAS, the Committee determined it is in the best of the public to make the aforementioned exchange;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Oxford, County of Warren and State of new Jersey, as follows:

Section 1.

The Township agrees to the exchange of property with Block 2, Lot 59 owned by Ms. Docker and Lot 18 owned by the Township of Oxford in accordance with the subdivision map annexed hereto as Exhibit A.

Section 2.

Should any part or parts of this Ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.

Section 3.

Severability. 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 4.

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

Section 5.

Effective Date. This Ordinance shall take effect upon its passage and publication as required by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Oxford held on December 10, 2008 at 6:00 P.M., and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on January 7, 2009, at 6:00 P.M. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 11 Green Street, Oxford, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

On motion by Mr. Accetturo, seconded by Mrs. Riley and passed unanimously on roll call vote to introduce on first reading **Ordinance 2008-20 Authorizing an Exchange of Land with Debra K. Docker Pursuant to N.J.S.A. 40A:12-16.**

RESOLUTION 2008-83

**REFUNDING TAX SALE CERTIFICATE #470
THAT WAS REDEEMED**

WHEREAS, the property owned by Bruce & Sharon Ader. also known as Block 31, Lot 21, Qualifier C0071 located at 71 Cambridge East had unpaid 2006 taxes and was sold at a Tax Sale held on April 16, 2007 by the Oxford Township Tax Collector; and

WHEREAS, Park Finance, LLC of PO Box 109, Cedar Knolls, NJ 07927 was the successful bidder of the above stated property; and the amount of the Tax Sale consisted of unpaid taxes, sewer service charges, interests and other costs, and totaled \$4,129.71 and is represented by Tax Sale Certificate #470; and

WHEREAS, Citi Residential paid \$13,747.47 on November 24, 2008 to the Oxford Township Tax Collector to satisfy the outstanding Tax Sale Certificate, subsequent taxes, and delinquent taxes;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Oxford on this 10th day of December, 2008 that the Chief Financial Officer be authorized to draw a check payable to "Park Finance, LLC" in the amount of \$13,747.47 for the redemption of Tax Sale Certificate #470

BE IT FURTHER RESOLVED that the Tax Collector be directed to return the satisfied Tax Sale Certificate to Gina Duffy, Citi Residential, 95 Methodist Hill Road, Ste 100, Rochester, NY 14623.

On motion by Mr. Bray, seconded by Mr. Accetturo and passed unanimously on roll call vote to adopt **Resolution 2008-83 Refunding Tax Sale Cert.-#470.**

RESOLUTION – 2008-84

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

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Revitalization Planning	\$38,467.20	
Administrative & Executive OE	\$312.00	
Oxford Arsenic	\$10,994.95	
Fire Prevention	\$500.00	
Buildings and Grounds	\$2,087.02	
Landfill/Solid Waste Disposal	\$2,676.00	
Governing Body S&W		\$312.00
Police S&W		\$49,462.15
Fire Hydrants		\$3,176.00
Streets and Roads OE		\$1,204.99
Employee Group Health		\$882.03
TOTALS	\$55,037.17	\$55,037.17

On motion by Mr. Bray, seconded by Mrs. Riley and passed unanimously on roll call vote to adopt **Resolution 2008-84 Budget Transfer**.

RESOLUTION 2008-85

WHEREAS, the Mayor and Council of the Township of Oxford authorized the Purchase of Computer Equipment and Accessories – Ordinance 2004-10, and

WHEREAS, the Purchase of Computer Equipment and Accessories has been completed and all bills have been paid leaving a balance in Ordinance #04-10 in the amount of \$84.18.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Oxford that Ordinance #04-10 be canceled and the unexpended balance of \$84.18 be canceled to the Capital Improvement Fund.

RESOLUTION 2008-86

WHEREAS, the Mayor and Council of the Township of Oxford authorized the Dump Truck and Acquisition of Property – Ordinance 2007-07, and

WHEREAS, the Dump Truck and Acquisition of Property has been completed and all bills have been paid leaving a balance in Ordinance #07-07 in the amount of \$164,600.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Oxford that Ordinance #07-07 be canceled and the unexpended balance of \$164,600.00 be canceled to the Deferred Charge to Future Taxation - UNFUNDED.

RESOLUTION 2008-87

WHEREAS, the Mayor and Council of the Township of Oxford authorized the Acquisition of a Garbage Truck – Ordinance 2004-03, and

WHEREAS, the Acquisition of Garbage Truck has been completed and all bills have been paid leaving a balance in Ordinance #04-03 in the amount of \$10,733.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Oxford that Ordinance #04-03 be canceled and the unexpended balance of \$10,733.00 be canceled to the Capital Fund Balance.

RESOLUTION 2008-88

WHEREAS, the Mayor and Council of the Township of Oxford authorized the Reconstruction of Pequest Road – Ordinance 2004-14, and

WHEREAS, the Reconstruction of Pequest Road has been completed and all bills have been paid leaving a balance in Ordinance #04-14 in the amount of \$15,587.32.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Oxford that Ordinance #04-14 be canceled and the unexpended balance of \$15,587.32 be canceled to the Capital Fund Balance.

RESOLUTION 2008-89

WHEREAS, the Mayor and Council of the Township of Oxford authorized the Purchase of Police Equipment – Ordinance 2005-12, and

WHEREAS, the Purchase of Police Equipment has been completed and all bills have been paid leaving a balance in Ordinance #05-12 in the amount of \$197.05.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Oxford that Ordinance #05-12 be canceled and the unexpended balance of \$197.05 be canceled to the Capital Improvement Fund Balance.

RESOLUTION 2008-90

WHEREAS, the Mayor and Council of the Township of Oxford authorized the Purchase of Public Works Equipment – Ordinance 2006-14, and

WHEREAS, the Purchase of Public Works Equipment has been completed and all bills have been paid leaving a balance in Ordinance 2006-14 in the amount of \$3,643.03.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Oxford that Ordinance 2006-14 be canceled and the unexpended balance of \$3,643.03 be canceled to the Capital Fund Balance.

RESOLUTION 2008-91

WHEREAS, the Mayor and Council of the Township of Oxford authorized the Speed Bump Removal – Pequest Road – Ordinance 2008-03, and

WHEREAS, the Speed Bump Removal – Pequest Road has been completed and all bills have been paid leaving a balance in Ordinance #08-03 in the amount of \$15.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Oxford that Ordinance #08-03 be canceled and the unexpended balance of \$15.00 be canceled to the Deferred Charge to Future Taxation - UNFUNDED.

On motion by Mr. Accetturo seconded by Mr. Bray and passed unanimously on roll call vote to adopt **Resolutions 2008-85 to Resolution 2008-91.**

RESOLUTION NO. 2008-92

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Oxford, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2008 in the sum of \$4,000.00, which is now available from the State of New Jersey in the amount of \$4,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$4,000.00 is hereby appropriated under the caption Click It or Ticket Grant, and

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey in the amount of \$4,000.00.

On motion by Mr. Bray, seconded by Mr. Accetturo and passed unanimously on roll call vote to adopt **Resolution 2008-92 Insertion of Item of Revenue-\$4,000.00.**

RESOLUTION 2008-93

REFUNDING OVERPAYMENT OF TAXES

WHEREAS, there exists a duplicate payment from 2nd quarter of 2004 in the amount of \$675.74 for Block 31, Lot 21, Qualifier C0004 at 4 Cambridge East resulting from the sale of the property from Secor to Riso; and

WHEREAS, it has been determined that the first payment was received from the closing attorney, and the second payment was paid electronically by First American Real Estate Tax Service on behalf of Mrs. Secor, (the seller) who no longer resides in Oxford;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of Oxford that on this 10th day of December, 2008 the Chief Financial Officer be authorized to refund the amount of \$675.74 to Christine Secor, who now resides at 228 Water St., Belvidere, NJ 07823.

On motion by Mr. Accetturo, seconded by Mr. Bray and passed unanimously on roll call vote to adopt **Resolution 2008-93 Refunding Overpayment of Taxes-&675.74.**

RESOLUTION 2008-94

**REFUNDING TAX SALE CERTIFICATE #484
THAT WAS REDEEMED**

WHEREAS, the property owned by Daniel L & Laurel Ann Kappler. also known as Block 13, Lot 4 located at 8 Henderson St. had unpaid 2007 taxes and was sold at a Tax Sale held on July 21st, 2008 by the Oxford Township Tax Collector; and

WHEREAS, Park Finance, LLC of PO Box 109, Cedar Knolls, NJ 07927 was the successful bidder of the above stated property; and the amount of the Tax Sale consisted of unpaid taxes, sewer service charges, interests and other costs, and totaled \$780.01 and is represented by Tax Sale Certificate #484; and

WHEREAS, First American paid \$780.01 on July 23, 2008 to the Oxford Township Tax Collector to satisfy the outstanding Tax Sale Certificate, subsequent taxes, and delinquent taxes;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Oxford on this 10th day of December, 2008 that the Chief Financial Officer be authorized to draw a check payable to “Park Finance, LLC” in the amount of \$780.01 for the redemption of Tax Sale Certificate #484

BE IT FURTHER RESOLVED that the Tax Collector be directed to retain the satisfied Tax Sale Certificate, which was issued but never, recorded with the Warren County Clerk’s Office.

On motion by Mrs. Riley, seconded by Mr. Accetturo and passed unanimously on roll call vote to adopt **Resolution 2008-94 Refunding Tax Sale Certificate#484.**

RESOLUTION 2008-95

TOWNSHIP OF OXFORD

**SEEKING AN EXTENSION OF THE DEADLINE TO PETITION FOR
SUBSTANTIVE CERTIFICATION PURSUANT TO EXECUTIVE ORDER 114
AND THE MEMORANDUM OF UNDERSTANDING BETWEEN THE
HIGHLANDS COUNCIL AND THE COUNCIL ON AFFORDABLE HOUSING**

WHEREAS, on September 5, 2008, Governor Corzine signed Executive Order 114 which requires the Council on Affordable Housing (COAH) and the New Jersey Highlands Council (Highlands) to enter into a Memorandum of Understanding (MOU) designed to coordinate the regulations of both agencies by maximizing affordable housing opportunities while preserving critical environmental resources; and

WHEREAS, COAH and the Highlands have prepared such an MOU, which was adopted by COAH on October 29, 2008 and by the Highlands Council on October 30, 2008; and

WHEREAS, conformance with the Highlands Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

WHEREAS, COAH regulations establish a December 31, 2008 deadline for municipalities currently under the jurisdiction of COAH to submit third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, the MOU establishes a procedure that municipalities under the jurisdiction of both COAH and the New Jersey Highlands Water Protection and Planning Act may follow to seek an extension to the December 31, 2008 deadline set by COAH for the submission of third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, the MOU provides for an extension of the December 31, 2008 deadline to December 8, 2009 for any Highlands municipality under COAH's jurisdiction that, before December 31, 2008: 1) submits a duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines; and 2) submits a duly adopted resolution notifying COAH of its intent to petition COAH no later than December 8, 2009; and

WHEREAS, on December 10, 2008, the Township Committee of Township of Oxford adopted a resolution notifying the Highlands that the Township of Oxford has set July 1, 2009, as the target date for submission of a Petition for Plan Conformance.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Oxford hereby agrees that its deadline for the submission of a Housing Element and Fair Share Plan pursuant to N.J.A.C. 5:96-16 is extended from December 31, 2008 to December 8, 2009; and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Oxford hereby directs the Township Clerk to immediately transmit a signed and sealed copy of this resolution to COAH; and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Oxford hereby directs the Township Clerk to immediately transmit a signed and sealed copy of the December 10, 2008 duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines to COAH; and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Oxford intends to submit a petition for substantive certification of a third round Housing Element and Fair Share Plan to COAH not later than December 8, 2009.

RESOLUTION 2008-96

**TOWNSHIP OF OXFORD
NOTICE OF INTENT TO PETITION THE HIGHLANDS COUNCIL
FOR PLAN CONFORMANCE**

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other key natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region and requiring that within nine to 15 months after September 8, 2008, each county and municipality located wholly or partially in the Preservation Area must submit a Petition for Plan Conformance to the Highlands Council for that portion of its jurisdiction lying within the Preservation Area; and

WHEREAS, the Highlands Act specifies that conformance with the Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

WHEREAS, the Highlands Council's Plan Conformance Guidelines require that for jurisdictions with any lands in the Preservation Area, a Notice of Intent to conform to the Regional Master Plan must be submitted to the Highlands Council as soon as practicable, but not later than February 1, 2009 and that for any lands in the Planning Area, a Notice of Intent may be submitted at any time; and

WHEREAS, the Township of Oxford lies within the Highlands Region as defined by the Highlands Act; and

WHEREAS, the Township Committee of the Township of Oxford believes that it is in the best interest of the Township of Oxford to conform to the Regional Master Plan.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Oxford hereby provides the Highlands Council with this Notice of Intent to petition the Highlands Council for Plan Conformance for all lands lying within the Preservation Area.

BE IT FURTHER RESOLVED, this Notice of Intent provides notice to the Highlands Council that the Township Committee of the Township of Oxford has set July 1, 2009, as the target date for submission of a Petition for Plan Conformance.

On motion by Mr. Bray, seconded by Mrs. Riley and passed unanimously on roll call vote to adopt **Resolution 2008-95 and Resolution 2008-96.**

Bruce Doyle, Assistant Chief of The Oxford Volunteer's Fire Department asked the Committee to finance a 2004 Durango from Smith Motors for a four-year lease in the amount of \$4,537 per year to be used as a first response vehicle.

On motion by Mr. Accetturo, seconded by Mrs. Riley and passed unanimously on roll call vote to pay the four-year lease on the 2004 Durango. The Committee requested a copy of the 2008 and 2009 Oxford Township Fire Company's budget and the lease agreement for this vehicle. Mr. Doyle reassured the Committee he would submit these documents to the Township Clerk.

ATTORNEY'S REPORT:

Mr. Lavery stated that in reference to Oxford/Cambridge-Mr. Finelli provided calculations of linear feet for the streets of Oxford in relation to the streets in Cambridge. Cambridge will review these documents with their attorney and engineer and get in touch with the Oxford Committee on any changes or questions.

Oxford Textile's attorney Lloyd Tubman contacted Mr. Lavery and Dave Roberts. Ms. Tubman stated that Oxford Textile would be submitting some requested changes to the agreement to the Committee at a later date.

ORDINANCE 2008-21

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

Be it ordained and enacted by the Township Committee of the Township of Oxford, County of Warren, State of New Jersey, as follows:

§ 1-1. Adoption of Code.

Pursuant to N.J.S.A. 40:494, the ordinances of the Township of Oxford of a general and permanent nature adopted by the Township Committee of the Township of Oxford, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through 340, together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the Township of Oxford," hereinafter known and referred to as the "Code."

§ 1-2. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-3. When effective.

This ordinance shall take effect immediately upon passage and publication according to law.

§ 1-4. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Township Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Township of Oxford by impressing thereon the Seal of the Township, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the Township, to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-5. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the “Code of the Township of Oxford” shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§ 1-6. Publication; filing.

The Clerk of the Township of Oxford, pursuant to law, shall cause this Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Township. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-7. Code book to be kept up-to-date.

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such

changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein,

§ 1-8. Sale of Code book.

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee authorized by the Township. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

§ 1-9. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Township of Oxford to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to one or more of the following: a fine of not more than \$2,000, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

§ 1-10. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-11. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-12. Repealer.

All ordinances or parts of ordinances of a general and permanent nature adopted and in force on the date of the adoption of this ordinance and not contained in the Code are hereby repealed as of the effective date of this Adopting Ordinance, except as hereinafter provided. Specifically, the former Code of the Township of Oxford, adopted 12-11-1974, as amended, republished and readopted 10-21-1993 by Ord. No. 93-11, as amended, is hereby repealed and replaced with the new Code of the Township of Oxford.

§ 1-13. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-12 of this

ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to 10-15-2008.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result there from.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Township's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.
- N. The Trailers and Trailer Camps Ordinance (adopted 9-5-1953).

§ 1-14. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Township Committee that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)
- C. Nomenclature and statutory references.

(1) Throughout the Code, the following changes have been made:

- (a) *Township Council* has been changed to *Township Committee*.
- (b) *Board of Adjustment, Zoning Board of Adjustment* and *Planning Board* have all been changed to *Land Use Board*.
- (c) *Planning Board* has been changed to *Land Use Board*.
- (d) *Zoning Board of Adjustment* has been changed to *Land Use Board*.

(2) In addition, outdated statutory references have been corrected.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Oxford held on December 10, 2008 at 6:00 PM., and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on January 07, 2009 at 6:00 PM. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 11 Green Street, Oxford, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

ORDINANCE 2008-22

**AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE
ORDINANCES OF THE BOARD OF HEALTH OF THE TOWNSHIP OF
OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY; PROVIDING
FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING
FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN;
ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE
CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED
ORDINANCES**

Be it ordained and enacted by the Board of Health of the Township of Oxford, County of Warren, State of New Jersey, as follows:

§ 350-1. Adoption of Code.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Board of Health of the Township of Oxford of a general and permanent nature, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 350 through 355, are hereby approved, adopted, ordained and enacted as Part III of the “Code of the Township of Oxford,” hereinafter known and referred to as the “Code.”

§ 350-2. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances of the Board of Health enacted prior to the enactment of this Code, except such ordinances as are expressly saved from repeal or continued in force and effect hereinafter.

§ 350-3. When effective.

This ordinance shall take effect immediately upon passage and publication according to law.

§ 350-4. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Secretary of the Board of Health and shall remain there for use and examination by the public until final action is taken on the Adopting Ordinance; and if the Adopting Ordinance shall be adopted, such copy shall be certified as provided by law, and such certified copy shall remain on file in the office of the Secretary of the Board of Health, to be made available to persons desiring to examine the same during all times while the said Code is in effect.

§ 350-5. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the Board of Health to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the “Code of the Township of Oxford” shall be understood and intended to include such additions

and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code, as amendments and supplements thereto.

§ 350-6. Publication; filing.

The Secretary of the Board of Health, pursuant to law, shall cause the Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Township of Oxford. Sufficient copies of the Code shall be maintained in the office of the Secretary for inspection by the public at all times during regular office hours. The enactment and publication of the Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 350-7. Code book to be kept up-to-date.

It shall be the duty of the Secretary or someone authorized and directed by the Secretary to keep up-to-date the certified copy of the book containing the Code required to be filed in the Secretary's office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 350-8. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Board of Health to be misrepresented thereby. Anyone violating this section shall be subject, upon conviction, to a fine of not less than \$5 nor more than \$500.

§ 350-9. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof.

§ 350-10. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof.

§ 350-11. Repeal of ordinances.

All ordinances of a general and permanent nature adopted by the Board of Health and in force on the date of the adoption of this Code and not contained in the Code are hereby repealed as of the effective date of this adopting ordinance, except as hereinafter provided. Specifically, Part III of the former Code of the Township of Oxford, adopted 12-11-1974, as amended and supplemented, is hereby repealed and replaced with Part III of the new Code of the Township of Oxford.

§ 350-12. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 350-11 shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance of the Board of Health adopted subsequent to 12-11-1974.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance, or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision, or any penalty, punishment or forfeiture, which may result there from.
- D. Any prosecution, indictment, action, suit or other proceeding pending, or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any agreement, franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract or obligation.
- O. Any provisions of an ordinance or resolution of the Board of Health creating employments, positions or offices and fixing salaries and duties therefore which are not provided in the Code hereby adopted and which are not in conflict or inconsistent therewith, or any ordinance pertaining to the salaries and compensation of Board of Health officers and employees.

§ 350-13. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances of the Board of Health for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one or more of said ordinances. It

is the intention of the Board of Health that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.

B. In addition, the following substantive change is made herewith, to become effective upon the effective date of this ordinance:

(1) Ch. 355, Animals and Fowl, Domestic. In § 355-1, the definition of “domestic animal” is hereby amended to read as follows:

DOMESTIC ANIMAL — An animal living near the habitations of man or by habit or special training in association with man, except dogs, to the extent that they are defined and regulated by Chapter 118, Animals.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Oxford held on December 10, 2008 at 6:00 PM., and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on January 07, 2009 at 6:00 PM. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 11 Green Street, Oxford, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

On motion by Mr. Accetturo, seconded by Mr. Bray and passed unanimously on roll call vote to introduce on first reading **Ordinance 2008-21 and Ordinance 2008-22** **Providing for the Maintenance of said Code for the Township and Board of Health.**

Mr. Bray discussed the three-year shared court proposal received from Mansfield/Washington in regard to a shared court. Oxford Township has not received any figures from White Township to date. Mr. Bray stated that Oxford would save more than \$13,815.00 in the first year with Mansfield/Washington court.

PUBLIC COMMENT:

There were questions on the budget transfer in reference to the police budget and police overtime. The Committee also said that they have questions on the high figure of police overtime salaries. Mr. Accetturo stated that this is the second resolution passed in 2008 to transfer a total of \$58,583.15 from other line items to cover police overtime, which is

in addition to the budgeted amount. The public also asked why four officers at night must respond to a fire call or an accident. Mr. Bray will look into finding the answers to these questions.

Mrs. Riley stated that Oxford Township did not receive the grant from New Jersey Department of Transportation for the Buckley Avenue road repair. Mr. Finelli will apply again in 2009.

Diane Cooper discussed state police and creating regional police coverage for Oxford Township. Mr. Bray said that, effective immediately, there would be changes in the procedures of the Oxford Police Department.

Mrs. Riley stated that she has been in contacted with Dave Roberts in reference to the Smart Growth grant. He has received an e-mail from Lorissa Whitaker, Principal Planner with the Department of Community Affairs, Office of Smart Growth stating that Oxford should be receiving the remainder of the grant in the amount of \$19,000.00.

The Pequest River Municipal Utility Authority will have a rate hearing on December 22, 2008 at 7:30 PM at the Authority's Administration Building on Foul Rift Road, Belvidere. Mr. Accetturo said he would attend.

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.

4. The public shall be excluded from the discussion of any action upon the hereinafter-specific subject matter.
5. The general nature of the subject matter to be discussed is: personnel matter (police).
6. 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 Mrs. Riley and seconded by Mr. Accetturo, to enter into Executive session at 10:15 PM.

Entered into open session at 10:37 PM on motion by Mrs. Riley and seconded by Mr. Accetturo. No Official Action was taken.

On motion by Mrs. Riley, seconded by Mr. Accetturo and passed unanimously on roll call vote to authorize Mr. Bray to contact Mansfield Township to be included into the regionalization study.

On motion by Mr. Bray, seconded by Mr. Accetturo and passed unanimously on roll call vote to approve all the bills listed on the Bill List.

On motion by Mr. Accetturo, seconded by Mr. Bray and passed unanimously in roll call vote to adjourn the meeting at 10:45 PM.

Sheila L. Oberly, RMC