

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, JANUARY 16, 2008, 8:00 P.M.**

CALL TO ORDER

The January 16, 2008 Regular Meeting was called to order by Mayor Robert E. Nace at 8:00 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

* * *

ATTENDANCES

ELECTED OFFICERS

GOVERNING BODY

Mayor Robert E. Nace

Township Committee Member Ronald M. Goldberg
Township Committee Member Jeffrey R. Grayzel
Township Committee Member H. Scott Rosenbush
Township Committee Member Richard A. Watson

APPOINTED OFFICERS

Cathleen Amelio, Township Clerk
John M. Mills, III, Township Attorney
Fred J. Rossi, Township Administrator

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Robert E. Nace.

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FULL TEXT OF ORDINANCES CAN BE OBTAINED IN THE OFFICE OF THE TOWNSHIP CLERK

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**PRESIDING OFFICER'S STATEMENT RE: ADEQUATE NOTICE - O.P.M.A. -
(RECORD INSERT)**

Mayor Nace issued the following statement of adequate notice:

"Adequate Notice" of this meeting of the Township Committee of the Township of Morris, was given as required and defined by the Open Public Meetings Act, as follows:

Written Notice was given on January 11, 2008 to the official newspapers, Daily Record and Morris News Bee, and to the additional newspaper, Star Ledger, by mail at least 48 hours prior to the date of this meeting, and a copy of the Notice was posted on the Bulletin Board in the Municipal Building of the Township of Morris by the Township Clerk and a copy of the Notice was likewise filed in the Township Clerk's Office and copies of this Notice were mailed by certified mail to all persons who have requested individual notice, pursuant to N.J.S.A. 10:4-19, all of which Notices were given at least 48 hours prior to the date of this meeting, and I hereby hand to the Township Clerk, a copy of the Notice which was given as above set forth for appropriate retention in the Municipal Files".

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SPEAKER'S TIME LIMITATION

Mayor Nace announced that in order to give interested parties a fair chance to be heard, each speaker could comment for an unassignable period of five minutes before turning the microphone over to the next speaker, and that after each has had one turn, a person may be heard for an additional unassignable period of 5 minutes.

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APPROVAL OF MINUTES

NONE

* * *

SWEARING IN NEW POLICE OFFICERS

(ATTORNEY)

Police Chief Michael Loughman introduced the new patrolmen and thanked the Committee:

Steven Smith - his mother held the bible and Mr. Mills sworn him into office.

Justin Cromwell - his parents held the bible and Mr. Mills sworn him into office.

Robert Hydock, Jr. - his parents and grandmother held the bible, Mr. Mills sworn him into office.

Mayor Nace and Mr. Grayzel pinned badges on the new patrolmen.

* * *

**ADMINISTRATIVE HEARING - VIOLATIONS OF THE ABC LAW
PLEA OF NOT GUILTY ENTERED - JUST AROUND THE CORNER**

(ATTORNEY)

NOTE: TO BE CARRIED TO THE FEBRUARY 6, 2008 MEETING

* * *

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**ADMINISTRATIVE HEARING - VIOLATIONS OF THE ABC LAW
LYNNEDR, LLC D/B/A THE PALM BAR**

(ATTORNEY)

The Township Committee directed John M. Mills, III, Township Attorney to prepare charges - tentative hearing date February 20, 2008.

* * *

**MORRIS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION-
FOR THE CONSTRUCTION AND INSTALLATION OF NEW EQUIPMENT AT THE
COLLINSVILLE PLAYGROUND**

William Foelsch, Director of Parks and Recreation for the Township of Morris summarized the application for public facilities, i.e., renovation of lower section of Collinsville playground; cooling system replacement; handicapped access to the full playground; shade structure.

The Committee thanked Bill. The meeting was opened to the public and no one appeared.

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ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION

NONE

* * *

ORDINANCES - INTRODUCTION

Each ordinance as hereinafter set forth was introduced, passed on first reading by the vote as hereinafter indicated, with a public hearing thereon scheduled for the February 20, 2008 meeting at 8:00 P.M.:

ORDINANCE #1-08 - AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, ESTABLISHING SALARIES AND COMPENSATION FOR EMPLOYEES OF THE FIREMEN'S MUTUAL BENEVOLENT ASSOCIATION (FMBA LOCAL 70) OF THE TOWNSHIP OF MORRIS

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

ORDINANCE #2-08 - AMENDING ORDINANCE 3-07-OF THE CODE OF THE TOWNSHIP OF MORRIS ESTABLISHING CHARGES FOR RECREATION PROGRAMS

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #3-08 - ORDINANCE AMENDING CHAPTER 67 'POOL, MUNICIPAL: RULES AND REGULATIONS'

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

ORDINANCE #4-08 - AN ORDINANCE AMENDING CHAPTER 57, LAND DEVELOPMENT, SECTION 57-29, FEES AND ADMINISTRATION OF TECHNICAL REVIEW DEPOSITS, PLANNING BOARD/BOARD OF ADJUSTMENT FEE SCHEDULE, OF THE CODE OF THE TOWNSHIP OF MORRIS

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

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RESOLUTIONS

In the next matter of business the following resolutions were duly offered, seconded and adopted by the vote as indicated at the end of the text of the resolutions:

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ANIMAL CONTROL SERVICE TO ST. HUBERT'S GIRALDA, 575 WOODLAND ROAD, MADISON, NEW JERSEY 07940 – IN AN AMOUNT NOT TO EXCEED \$43,050

WHEREAS, the Township of Morris has a need to acquire professional services for animal control service as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law requires that the resolution authorizing the award of contracts for "Extraordinary Unspecifiable Services" without bids and the contract

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ANIMAL CONTROL SERVICE TO ST. HUBERT'S GIRALDA, 575 WOODLAND ROAD, MADISON, NEW JERSEY 07940 – IN AN AMOUNT NOT TO EXCEED \$43,050 (CONTINUED)

itself must be available for public inspection, and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the Township Administrator has certified that this meets the statute and regulations governing the award of said contracts; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the contract will exceed \$17,500; and

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RESOLUTIONS (CONTINUED)

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, St. Hubert's Giralda has submitted a proposal dated October 22, 2007 indicating they will provide the animal control services for \$43,050 plus callouts; and

WHEREAS, St. Hubert's Giralda has completed and submitted a Business Entity Disclosure Certification which certifies that St. Hubert's Giralda has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit St. Hubert's Giralda from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with St. Hubert's Giralda for animal control services for a fee not to exceed \$43,050.

This contract is awarded without competitive bidding as an Extraordinary, Unspecifiable Service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services required cannot reasonably be described by written specifications to assure that the qualitative and quantitative assessment of the problems involved, which require expertise, extensive training, and proved reputation in the field of endeavor are obtained.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
 MR. GRAYZEL YES MR. WATSON YES
 MAYOR NACE YES

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE INDUSTRIAL PRETREATMENT PROGRAM – HATCH MOTT MAC DONALD – NOT TO EXCEED \$31,500

WHEREAS, the Township of Morris has a need to acquire professional services of a professional engineering firm for purposes of providing guidance and general consultation with respect to the Industrial Pretreatment Sewage Program as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, engineering is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and,

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Hatch Mott MacDonald has submitted a proposal dated January 7, 2008 indicating they will provide the professional services of a licensed engineer for \$31,500; and

WHEREAS, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit Hatch Mott MacDonald from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Sewer Operating in the amount of \$31,500.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Hatch Mott MacDonald for the provision of professional engineering services with respect to the Industrial Pretreatment Program and Local Limits Review Report for a fee not to exceed \$31,500.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

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**TOWNSHIP COMMITTEE MEETING
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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR GENERAL CONSULTING AND ENGINEERING SERVICES, SEWER UTILITY – HATCH MOTT MAC DONALD – NOT TO EXCEED \$60,000

WHEREAS, the Township of Morris has a need to acquire professional services of a professional engineering firm for purposes of providing guidance and general consultation with respect to general consulting and engineering services of the Sewer Utility as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, engineering is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Hatch Mott MacDonald has submitted a proposal dated January 7, 2008 indicating they will provide the professional services of a licensed engineer for \$60,000; and

WHEREAS, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit Hatch Mott MacDonald from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Sewer Operating in the amount of \$60,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Hatch Mott MacDonald for the provision of professional engineering services with respect to general consulting and engineering services for the sewer utility for a fee not to exceed \$60,000.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

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AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR GENERAL COUNSEL JOHN M. MILLS, III, ESQ. - \$125/HR. – NTE \$90,000

WHEREAS, the Township of Morris has a need to acquire professional services of a general counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR GENERAL COUNSEL
JOHN M. MILLS, III, ESQ. - \$125/HR. – NTE \$90,000 (CONTINUED)

WHEREAS, the practice of law is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, John M. Mills, III, Esq. has submitted a proposal indicating he will provide the professional services of general counsel for \$125 per hour; and

WHEREAS, John M. Mills, III, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that John M. Mills, III, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit John M. Mills, III, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available as follows: Legal O.E. - \$85,000; Sewer O.E. - \$5,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with John M. Mills, III, Esq. as general counsel for a total not to exceed \$90,000, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

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AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL COUNSEL -
PUBLIC DEFENDER - TIMOTHY BRUNNOCK, ESQ. , 67 PARK PLACE, MORRISTOWN, NJ
07960 - \$125/HR. - NOT TO EXCEED \$22,500

WHEREAS, the Township of Morris has a need to acquire professional services of legal counsel to act as the public defender as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL COUNSEL - PUBLIC DEFENDER - TIMOTHY BRUNNOCK, ESQ., 67 PARK PLACE, MORRISTOWN, NJ 07960 - \$125/HR. - NOT TO EXCEED \$22,500 (CONTINUED)

WHEREAS, the practice of law is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Timothy Brunnock, of the firm Brunnock & Fleming, PC has agreed to provide the professional services of public defender for \$125 per hour; and

WHEREAS, Timothy Brunnock, Brunnock & Fleming, PC, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Legal O.E.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Timothy Brunnock, Esq. of the firm of Brunnock & Fleming, PC for a total not to exceed \$22,500 and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

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AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL REAL ESTATE CONSULTING SERVICES FOR TAX APPEALS TO VALUE RESEARCH GROUP, LLC, 301 S. LIVINGSTON AVENUE, LIVINGSTON, NJ 07039 – NOT TO EXCEED \$20,000

WHEREAS, the Township of Morris has a need for professional real estate consulting services related to the defense of tax appeals, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL REAL ESTATE CONSULTING SERVICES FOR TAX APPEALS TO VALUE RESEARCH GROUP, LLC, 301 S. LIVINGSTON AVENUE, LIVINGSTON, NJ 07039 – NOT TO EXCEED \$20,000 (CONTINUED)

WHEREAS, the practice of real estate consulting services is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is until the tax appeals are completed or it is extended as approved by the Township Committee.

WHEREAS, Value Research Group, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Legal O.E.

NOW, THEREFORE, BE IT RESOLVED hat the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Value Research Group, LLC for a total not to exceed \$20,000.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT TO GARY J. DUBOIS OF DB DATA SYSTEMS, 101 GATES AVENUE, GILLETTE, NJ 07933 FOR EXTRAORDINARY UNSPECIFIABLE SERVICES AS IT RELATES TO INFORMATION TECHNOLOGY – IN AN AMOUNT NOT TO EXCEED \$96,000

WHEREAS, the Township of Morris has a need to acquire professional services of a professional advisor as it relates to Information Technology as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT TO GARY J. DUBOIS OF DB DATA SYSTEMS, 101 GATES AVENUE, GILLETTE, NJ 07933 FOR EXTRAORDINARY UNSPECIFIABLE SERVICES AS IT RELATES TO INFORMATION TECHNOLOGY – IN AN AMOUNT NOT TO EXCEED \$96,000 (CONTINUED)

WHEREAS, the Local Public Contracts Law requires that the resolution authorizing the award of contracts for "Extraordinary Unspecifiable Services" without bids and the contract itself must be available for public inspection, and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the Township Administrator has certified that this meets the statute and regulations governing the award of said contracts; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, DB Data Systems has submitted a proposal dated December 31, 2007 indicating they will provide the professional advisory service for Information Technology for \$96,000; and,

WHEREAS, DB Data Systems has completed and submitted a Business Entity Disclosure Certification which certifies that DB Data Systems has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit DB Data Systems from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Information Technology Budget, Computer IT O.E., in the amount of \$67,200 and the Sewer Utility, O.E. budget in the amount of \$28,800 in the total amount of \$96,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Gary DuBois of DB Data Systems as professional advisor for Information Technology for a fee not to exceed \$96,000.

This contract is awarded without competitive bidding as an Extraordinary, Unspecifiable Service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services required cannot reasonably be described by written specifications to assure that the qualitative and quantitative assessment of the problems involved, which require expertise, extensive training, and proved reputation in the field of endeavor are obtained.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT TO GARY J. DUBOIS OF DB DATA SYSTEMS, 101 GATES AVENUE, GILLETTE, NJ 07933 FOR EXTRAORDINARY UNSPECIFIABLE SERVICES AS IT RELATES TO INFORMATION TECHNOLOGY – IN AN AMOUNT NOT TO EXCEED \$96,000 (CONTINUED)

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES
- - -

AUTHORIZING AWARD A CONTRACT FOR PROFESSIONAL SURVEYING SERVICES ON BLOCK 23.02, LOT 5, IN THE TOWNSHIP OF HARDING, MORRIS COUNTY, NJ. THROUGH A FAIR AND OPEN PROCESS - AWARDED TO T&M ASSOCIATES, 11 TINDALL ROAD, MIDDLETOWN, NJ 07748-2792, IN THE AMOUNT NOT TO EXCEED \$8,400.00

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, solicited quotations through a fair and open process for PROFESSIONAL SURVEYING SERVICES ON BLOCK 23.02, LOT 5, IN THE TOWNSHIP OF HARDING, MORRIS COUNTY, NJ.

WHEREAS, after review and recommendation by the Township Administrator, it appears that the contract should be awarded to T&M Associates, 11 Tindall Road, Middletown, NJ 07748-2792.

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer of this Township, certifying that the funds for said contract are available in the following account: OPEN SPACE TRUST FUND.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, being the Governing Body of said Township, as follows:

1. That the subject contract be awarded pursuant to a fair and open process to T&M Associates, 11 Tindall Road, Middletown, NJ 07748-2792 in an amount not to exceed \$8,400.00.
2. The Mayor and Clerk of this Township be and are hereby authorized and directed to execute the contract and all other necessary documents in order to effectuate the purpose of this resolution.
3. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Municipal Clerk.
4. That an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES
- - -

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RESOLUTIONS (CONTINUED)

**RESOLUTION REAPPOINTING EDWARD A. TARATKO, JR. AS A MEMBER OF THE
SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, the enabling legislation of The Southeast Morris County Municipal Utilities Authority ("Authority") (N.J.S.A. 40:14B-1 et seq.) requires that appointment of Members of the Authority be made by resolution of the Governing Bodies of the Creating Municipalities; and

WHEREAS, the Township Committee of the Township of Morris wishes to reappoint Edward A. Taratko, Jr. as one of its two Members of the Authority for five (5) years commencing on February 1, 2008.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey, as follows:

1. Edward A. Taratko, Jr. be and is hereby reappointed as a Member of The Southeast Morris County Municipal Utilities Authority for a term of five years commencing February 1, 2008 and terminating February 1, 2013.
2. Two (2) certified copies of this resolution shall be transmitted to the Authority's General Counsel for reference and action purposes.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

**AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL
LEGAL SERVICES TO MARAZITI, FALCON & HEALEY, L.L.P., FOR THE TOWNSHIP OF
MORRIS, IN AMOUNT NOT TO EXCEED \$8,500.00**

WHEREAS, the Township of Morris has need for professional legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the practice of law is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Maraziti, Falcon & Healey, L.L.P., 150 John F. Kennedy Parkway, Short Hills, NJ 07078, has submitted a proposal dated January 4, 2008 indicating they will provide the legal services to pursue a claim for reimbursement of a portion of the expenses incurred for the cleanup of Block 10502, Lot 1, 207 Speedwell Avenue, for \$8,500; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds stating that funds are available in Legal O.E.

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL LEGAL SERVICES TO MARAZITI, FALCON & HEALEY, L.L.P., FOR THE TOWNSHIP OF MORRIS, IN AMOUNT NOT TO EXCEED \$8,500.00 (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris hereby awards the contract to Maraziti, Falcon & Healey, L.L.P. for the provision of professional legal services for the Township of Morris for a fee not to exceed \$8,500 and the Mayor and Township Clerk are authorized to execute same; and

BE IT FURTHER RESOLVED that the certificate of availability of funds is attached to this resolution and is filed in the Township Clerk's office; and

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL COUNSEL FOR TAX APPEALS TO SKOLOFF & WOLFE, P.C., 293 EISENHOWER PARKWAY, LIVINGSTON, NJ 07039, NOT TO EXCEED \$55,000

WHEREAS, the Township of Morris has the need for professional services of special legal counsel as it relates to the defense of tax appeals, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the practice of law is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et.seq.; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is until the tax appeals are completed or it is extended as approved by the Township Committee;

WHEREAS, Skoloff & Wolfe, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Legal O.E.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 15**

RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL COUNSEL FOR TAX APPEALS TO SKOLOFF & WOLFE, P.C., 293 EISENHOWER PARKWAY, LIVINGSTON, NJ 07039, NOT TO EXCEED \$55,000 (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Skoloff & Wolfe, P.C. for a total not to exceed \$55,000.

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES
- - -

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL LEGAL SERVICES/BOND COUNSEL TO JOHN L. KRAFT, ESQ., L.L.C., LOMURRO, DAVISON, EASTMAN & MUNOZ, P.A., MONMOUTH EXECUTIVE CENTER, 100 WILLOWBROOK ROAD, BLDG. 1, FREEHOLD, NJ 07728.

WHEREAS, the Township of Morris has need for the services of a professional Bond Counsel, and

WHEREAS, John L. Kraft, Esq. is a Bond Counsel, located at Lomurro, Davison, Eastman & Munoz, P.A., Monmouth Executive Center, 100 Willow Brook Road, Bldg. 1, Freehold, New Jersey 07039, and

WHEREAS, N.J.S.A. 40A:11-5 provides that any contract or agreement for professional services may be negotiated or awarded without public advertising, and

WHEREAS, the profession of legal services is one regulated by law, the performance of which requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of instructions, and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, as follows:

1. The Mayor and Township Clerk are authorized to enter into an Agreement, on file in the Office of the Township Clerk, with John L. Kraft, Esq. for Bond Counsel services.
2. An official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES
- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 16**

RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL SERVICES/SPECIAL LABOR COUNSEL – FREDRIC M. KNAPP, ESQ. OF FIRM OF LAUFER, KNAPP, TORZEWSKI, & DALENA, L.L.C., 23 CATTANO AVENUE, MORRISTOWN, NJ 07960. - \$125/HR. – NTE \$20,000

WHEREAS, the Township of Morris has a need to acquire professional services of a labor counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the practice of law is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and,

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Frederic M. Knapp, Esq. of the firm Laufer, Knapp, Torzewski & Dalena, L.L.C. has submitted a proposal indicating he will provide the professional services of labor counsel for \$125 per hour, not to exceed \$20,000; and

WHEREAS, Frederic M. Knapp, Esq. of the firm Laufer, Knapp, Torzewski & Dalena, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Legal O.E.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Frederic M. Knapp, Esq. of the firm of Laufer, Knapp, Torzewski & Dalena, L.L.C. for a total not to exceed \$20,000; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 17**

RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR SPECIAL COUNSEL FOR THE MORRIS TOWNSHIP POLICE DEPARTMENT AND FOR GENERAL LEGAL SERVICES TO JOHN M. IACIOFANO, ESQ., IACIOFANO, FIAMINGO & PERRONE, ESQS., 157 WASHINGTON STREET, MORRISTOWN, N.J. 07960 IN THE AMOUNT OF \$125.00/HR. - NTE \$20,000.00

WHEREAS, the Township of Morris has need for acquire professional services (Special Counsel) for the Morris Township Police Department and general legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the practices of law is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5, et. seq., and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

WHEREAS, the anticipated term of this contract is one year, and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Legal O.E.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, as follows:

1. A contract for legal services is hereby awarded to John M. Iaciofano, Esq.of Iaciofano, Fiamingo & Perrone, Esqs., 157 Washington Street, Morristown, NJ 07960 in the amount of \$125.00 per hour, not to exceed \$20,000.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT TO RICHARD F. SMITH, JR., LAND SURVEYOR, 60 WASHINGTON STREET, MORRISTOWN, NJ 07960 FOR LAND SURVEYING SERVICES FOR MAINTENANCE OF TAX MAPS FOR THE YEAR 2008 – IN AN AMOUNT NOT TO EXCEED \$5,500

WHEREAS, the Township of Morris has need for professional land surveying services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the practice of land surveying is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the anticipated term of this contract is one year; and

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 18**

RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT TO RICHARD F. SMITH, JR., LAND SURVEYOR, 60 WASHINGTON STREET, MORRISTOWN, NJ 07960 FOR LAND SURVEYING SERVICES FOR MAINTENANCE OF TAX MAPS FOR THE YEAR 2008 – IN AN AMOUNT NOT TO EXCEED \$5,500 (CONTINUED)

WHEREAS, Richard F. Smith, Jr., 60 Washington Street, Morristown, New Jersey 07960 has submitted a proposal dated October 16, 2007 indicating they will provide the surveying services for \$5,500; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds stating that funds are available in Tax Assessor O/E.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Morris hereby awards the contract to Richard F. Smith, Jr. for professional land surveying services to the Township of Morris for a fee not to exceed \$5,500 and the Mayor and Township Clerk are authorized to execute same; and

BE IT FURTHER RESOLVED that the certificate of availability of funds is attached to this resolution and is filed in the Township Clerk's office; and

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

RESOLUTION ESTABLISHING CERTAIN FEES FOR THE POLICE DEPARTMENT OF THE TOWNSHIP OF MORRIS PURSUANT TO CHAPTER 45 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF MORRIS

BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris as follows:

1. The fees to be charged for the use of police vehicles when furnished for third party private duty shall be at the rate of \$10.00 per hour with a minimum charge of \$40.00.
2. The private duty fees to be paid to the Township of Morris for the services of police officers of the Township of Morris shall be the sum of \$66.00 per hour. Said fees shall be allocated between the Township of Morris and the officer as follows:

Paid to the officer	\$59.00 per hour
Retained by the Township	7.00 per hour.
3. The assignment for Morristown Memorial Hospital shall be the same rate as charged by the Morristown Police Department, currently \$60.00 per hour.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 19**

RESOLUTIONS (CONTINUED)

RESOLUTION ESTABLISHING CERTAIN FEES FOR THE POLICE DEPARTMENT OF THE TOWNSHIP OF MORRIS PURSUANT TO CHAPTER 45 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF MORRIS (CONTINUED)

The patrolman's rate shall be \$54.00 per hour and the Township's share \$6.00 per hour.

4. This rate schedule shall be adjusted annually depending on the increase in the top patrolman's salary x 1.5.
5. The rate under expired contracts shall be raised 3.5% annually and adjusted once the contract amount is agreed to, but not retroactively.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO TIMOTHY M. KRONK, PP, AICP, CLA, OF TK DESIGN ASSOCIATES, 23 WOOD ROAD, MORRIS TOWNSHIP, NJ 07960, FOR THE PURPOSE OF PERFORMING A BALLOON TEST WITH PHOTO SIMULATIONS OF PROPOSED ATHLETIC FIELD LIGHTING STRUCTURES ON BLOCK 23.02, LOT 5 IN THE TOWNSHIP OF HARDING, IN AN AMOUNT NOT TO EXCEED \$3,100.00

WHEREAS, the Township of Morris has need for the professional services of a professional planner as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the practice of land use planning is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, TK Design Associates, 23 Wood Road, Morris Township, NJ 07960, has submitted a proposal dated January 4, 2008 indicating they will provide the professional services for \$3,100.00; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds stating that funds are available in the Open Space Trust Fund.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris hereby awards the contract to TK Design Associates for the provision of professional planning services for the purpose of performing a balloon test with photo simulations of proposed athletic field lighting structures for the Township of Morris for a fee not to exceed \$3,100 and the Mayor and Township Clerk are authorized to execute same; and

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 20**

RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO TIMOTHY M. KRONK, PP, AICP, CLA, OF TK DESIGN ASSOCIATES, 23 WOOD ROAD, MORRIS TOWNSHIP, NJ 07960, FOR THE PURPOSE OF PERFORMING A BALLOON TEST WITH PHOTO SIMULATIONS OF PROPOSED ATHLETIC FIELD LIGHTING STRUCTURES ON BLOCK 23.02, LOT 5 IN THE TOWNSHIP OF HARDING, IN AN AMOUNT NOT TO EXCEED \$3,100.00 (CONTINUED)

BE IT FURTHER RESOLVED that the certificate of availability of funds is attached to this resolution and is filed in the Township Clerk's office; and

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

AUTHORIZING APPLICATION FOR GRANT MONIES IN THE AMOUNT OF \$80,000 FROM THE MORRIS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE CONSTRUCTION AND INSTALLATION OF NEW EQUIPMENT AT THE COLLINSVILLE PLAYGROUND IN THE TOWNSHIP OF MORRIS

WHEREAS, the Township of Morris has need to replace, construct and install new equipment at the Collinsville playground; and

WHEREAS, it is the belief of the Township of Morris that the purpose of these improvements would qualify for community development block grant monies.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, as follows:

1. That the Township of Morris shall, through its appropriate officers, make application to the Morris County Community Development Block Grant Program for grant funds in the amount of \$80,000 for the purpose of replacing, constructing and installing new equipment at the Collinsville playground.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 21**

RESOLUTIONS (CONTINUED)

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO RICHARD SMITH SURVEYOR – NTE \$5,900

WHEREAS, the Township of Morris has need for services of a professional surveyor with respect to mapping of wetlands delineation locations at Cornine Field as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the practice of land surveying is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and,

WHEREAS, the anticipated term of the contract is one year; and

WHEREAS, Richard Smith Surveyor, 60 Washington Street, Morristown, NJ 07960, has submitted a proposal dated January 7, 2008 indicating they will provide the professional surveying services for \$5,900; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds indicating funds are available in Open Space Capital Improvement Fund in the amount of \$5,900.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris authorizes the Mayor and Township Clerk to execute a contract with Richard Smith Surveyor as described herein; and

BE IT FURTHER RESOLVED that the certificate of availability of funds is attached to this resolution and is filed in the Township Clerk's office; and

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

RE: AUTHORIZING THE CONDUCTING OF A "CLOSED MEETING" AS DEFINED IN THE OPEN PUBLIC MEETINGS ACT CONCERNING "LEGAL AND PERSONNEL MATTERS"

WHEREAS, this meeting is a duly and properly called meeting of the Township Committee of the Township of Morris and adequate notice has been given as required by the "Open Public Meetings Act", and

WHEREAS, it is now necessary that this Governing Body consider matters involving "Legal and Personnel Matters", exceptions in the "Open Public Meetings Act", and which this Governing Body determines should be discussed at a "Closed Meeting".

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 22**

RESOLUTIONS (CONTINUED)

RE: AUTHORIZING THE CONDUCTING OF A "CLOSED MEETING" AS DEFINED IN THE OPEN PUBLIC MEETINGS ACT CONCERNING "LEGAL AND PERSONNEL MATTERS" (CLOSED)

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris as follows:

That this body shall conduct a "Closed Meeting" concerning the above-expected matters, which are exceptions set forth in the said act, and upon which a public disclosure will be made as expeditiously as possible; said meeting to be held during a recess of this Regular Meeting at the Municipal Building, 50 Woodland Avenue.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

RE: RESOLUTION OF APPOINTMENTS TO THE MORRIS TOWNSHIP/MORRISTOWN JOINT MUNICIPAL ALLIANCE COMMITTEE

NOW, THEREFORE, BE IT HEREBY FURTHER RESOLVED that the following appointments were hereby made to the Morris Township Municipal Alliance:

Chair Person-Maureen Byrne

Member- Barbara Miller

Member - Colleen Loughman

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

RE: APPOINTING CAPTAIN TIMOTHY QUINN AS ACTING CHIEF OF POLICE FOR THE TOWNSHIP OF MORRIS

NOW, THEREFORE, BE IT HEREBY FURTHER RESOLVED by the Township Committee of the Township of Morris that the Captain Timothy Quinn is hereby appointed to the position of acting Chief of Police effective February 1, 2008 without additional compensation.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 23**

RESOLUTIONS (CONTINUED)

RE: ACCEPTING THE RESIGNATION OF POLICE CHIEF MICHAEL LOUGHMAN WHO HAS TENDERED HIS RESIGNATION INDICATING A DESIRE TO RETIRE FROM THE POSITION OF CHIEF OF POLICE OF THE TOWNSHIP OF MORRIS EFFECTIVE APRIL 1, 2008 WITH A VACATION LEAVE COMMENCING FEBRUARY 1, 2008

NOW, THEREFORE, BE IT HEREBY FURTHER RESOLVED by the Township Committee of the Township of Morris that the Township Committee does hereby accept, with regret, the resignation of Chief Michael Loughman.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

PUBLIC COMMENT/INQUIRY

Mayor Nace, in accordance with standard procedure, opened the meeting for comments by the general public. The name, address and summary of comments and response, as appropriate, follows:

Mr. Larry Shelling, 5 Springhill Lane - Township is well run, police and fire exceptional. Called DPW in reference to garbage pickup (recyclables) container turned upside down which causes debris to be spread all over - need better service; leaf collection is not acceptable. Website not informative, needs updating; calendars not out; Website address should be throughout the Township Calendar.

Mrs. Catherine Bachmann, 55 MacKenzie Road, need sidewalks; status on left turn signal on Whippany Road. Committee: project to be ready to go out to bid shortly - county project.

Rebecca Feldman, 19 Olmstead Road, traction line trail - College of St. Elizabeth needs stop sign at the entrance gate on Convent Road.

* * *

CONSENT CALENDAR

At this time the Township Clerk presented the Consent Calendar as hereinafter set forth.

On resolution duly offered, seconded and adopted by the roll call as indicated (exceptions, if any, noted thusly*), the Consent Calendar was adopted and thereby the Governing Body took the following actions:

1. Granted municipal consent to WDHA-FM and Greater Media New Jersey to hold the 4th Annual Men's Expo at the Morristown Armory on January 27, 2008 from 1-5 P.M., subject to approval by the Police and Fire Chiefs, and subject to the filing of a Certificate of Insurance naming the Township as an additional insured, with a Hold Harmless Clause.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 24**

CONSENT CALENDAR (CONTINUED)

2. Appointing the following as members of the Township of Morris Environmental Commission, due to the resignation of John Storey:

Move Lee Wallace from Alternate #1 to a Regular Member, expiring 12/31/2010;
Move Dominick La Rosa from Alternate #2 to Alternate #1, expiring 12/31/2009;
Install Matthew W. Byrne to Alternate #2, expiring 12/31/2008.

3. Approved the following for Vehicle For Hire Licenses:

Martin R. Marulanda, owner/operator A+Taxicab;
Arthur Ritter, owner/operator Art's Taxi;
Edward Robinson, Jr., operator J&J TaxiLimo Service.

4. Accepted, with regret and appreciation for services rendered, the retirement of Ptl. James Paiva from the Police Department, effective March 1, 2008.

5. Accepted, with regret and appreciation for services rendered, the retirement of Michael J. Loughman, Police Chief, effective April 1, 2008.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

MATTERS OF OTHER BUSINESS

NONE

* * *

MATTERS RECEIVED FOR THE RECORD

NONE

* * *

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS

At this time Mayor Nace called upon the Members of the Township Committee for comments which are summarized as follows:

MR. GOLDBERG

1. Increase in parking at Convent Train Station; advised of Morristown free shuttle.
2. Few residents expressed a desire to volunteer.
3. Open appointment ordinance is still being reviewed.
4. Attended Environmental Commission meeting; need better communication between Planning Board and Environmental Commission. Mr. Nace will contact Mr. Largman.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 25**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. GRAYZEL

1. Attended Highlands meeting. Also attended training session by league; proposed ordinance on bid members discussion have begun; thanks to Bill Foelsch.

MR. ROSENBUSH

1. Thanked Bill for Community Development Application; will meet with DPW.

MR. WATSON

1. Budget - sit down with department heads; commuters should use the shuttle.

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

1. PROCLAMATION - CONGRATULATIONS – DAVID MILLER FELDMAN ON HIS 50TH BIRTHDAY

WHEREAS, David Miller Feldman will be honored by friends and relatives on the occasion of his 50th birthday on January 26, 2008; and

WHEREAS, David, who was born on January 29 1958, moved to Morris Township with his parents Murray and Celia in 1960. He graduated in 1976 from Morristown High School having been the first student Drum Major of the Morristown High School Colonials Marching Band. David married Amy and they have two (2) sons Adam and Matthew; and

WHEREAS, David has earned the distinction of having attained the minimum number of years of age to be considered eligible for the National Register of Historic People, Places and Things and still having a full head of hair been placed on the Historic Treasures in the Township of Morris; and

WHEREAS, it is fitting and proper that public recognition be made of this celebration.

NOW, THEREFORE, I, ROBERT E. NACE, Mayor of the Township of Morris, do hereby congratulate David on his 50th birthday with best wishes for many more happy and healthy years to come.

2. Will enforce parking law at the train station.

* * *

CONSIDERATION OF MONTHLY REPORTS

DECEMBER 2007
TAX COLLECTOR

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

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**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2008 PAGE 26**

APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #1 (MBA #1) dated January 16, 2008 \$8,579,603.79

The Resolution as hereinafter set forth was duly offered, seconded and adopted by the vote as hereinafter indicated:

WHEREAS, the Treasurer of the Township of Morris has prepared and has approved for payment the list of Vouchers attached to and hereby made a part hereof as Schedule A.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Township Committee of the Township of Morris that the proper officers of the Township of Morris be and are hereby authorized and directed to draw checks of the Township of Morris for a total of \$8,579,603.79 for payment of the itemized Vouchers set forth on Schedule A, referenced as Minute Book Attachment No. 1, all of which have been approved by the several committees of the Township of Morris, and which are hereby made a part of the minutes of this meeting.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES
* * *

**RECESSED MEETING FOR PURPOSE OF CONDUCTING "CLOSED MEETING"
CONCERNING "LEGAL AND PERSONNEL MATTERS"**

The Governing Body recessed at 9:12 P.M., the January 16, 2008 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

- - -

CALL TO ORDER AND ADJOURNMENT

At 10:24 P.M. the January 16, 2008 recessed Regular Meeting was called to order and the following resolutions were adopted:

"RE: RESOLUTION OF APPOINTMENT TO THE MUNICIPAL ALLIANCE"; "RE: APPOINTING CAPTAIN TIMOTHY QUINN AS ACTING CHIEF OF POLICE FOR THE TOWNSHIP OF MORRIS"; "RE: ACCEPTING THE RESIGNATION OF POLICE CHIEF MICHAEL LOUGHMAN WHO HAS TENDERED HIS RESIGNATION INDICATING A DESIRE TO RETIRE FROM THE POSITION OF CHIEF OF POLICE OF THE TOWNSHIP OF MORRIS EFFECTIVE APRIL 1, 2008 WITH A VACATION LEAVE COMMENCING FEBRUARY 1, 2008", thereafter with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 10:29 P.M., next to convene at the 8:00 P.M., February 6, 2008, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: MARCH 5, 2008