

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, FEBRUARY 4, 2009, 8:00 P.M.**

CALL TO ORDER

The February 4, 2009 Regular Meeting was called to order by Mayor H. Scott Rosenbush, 8:00 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

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ATTENDANCES

**ELECTED OFFICERS
GOVERNING BODY**

Mayor H. Scott Rosenbush
Township Committee Member Daniel W. Caffrey
Township Committee Member Ronald M. Goldberg
Township Committee Member Jeffrey R. Grayzel
Township Committee Member Raymond L. Snyder

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 H. Scott Rosenbush.

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

Mayor Rosenbush 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 30, 2009 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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ADJOURNED TO CLOSED MEETING

The meeting was adjourned at 8:03 P.M. to a Closed Meeting regarding the Verizon Property on Martin Luther King Avenue. The Town of Morristown anticipates relocating their DPW to this building.

Adjourned 8:15 P.M. to Regular Meeting.

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SPEAKER'S TIME LIMITATION

Mayor Rosenbush 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

At this time the Township Clerk presented for approval, the following minutes:

DECEMBER 17, 2008 – REGULAR/CLOSED MEETING

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

JANUARY 7, 2009 - ORGANIZATION MEETING (AS AMENDED)

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SYNDER YES
MAYOR ROSENBUSH YES

On motion duly made, seconded and carried by the vote as hereinafter indicated, the minutes approved as circulated, and placed on file in the Office of the Township Clerk:

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ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION

NONE

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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 March 4, 2009 regular meeting at 8:00 P.M.:

1-09 AN ORDINANCE AMENDING CHAPTER 18, ENTITLED "RECREATION ADVISORY COMMITTEE", OF THE CODE OF THE TOWNSHIP OF MORRIS

**"TOWNSHIP OF MORRIS"
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 1-09
AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF THE TOWNSHIP OF MORRIS,
ENTITLED "RECREATION ADVISORY COMMITTEE"**

SECTION ONE: BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris that Chapter 18, Recreation Advisory Committee, of the Code of the Township of Morris be amended in its entirety as follows:

Chapter 18, PARKS AND RECREATION ADVISORY COMMITTEE

[HISTORY: Adopted by the Township Committee of the Township of Morris 6-14-1972 by Ord. No. 17-72. Amendments noted where applicable.]

GENERAL REFERENCES

Parks, playground and public places -- See Ch. 61A.

Municipal pools -- See Ch. 67.

§ 18-1. Creation.

There is hereby created a Parks and Recreation Advisory Committee of the Township of Morris.

§ 18-2. Membership. [Amended 3-12-1975 by Ord. No. 8-75; 7-11-1979 by Ord. No. 22-79; 9-26-1979 by Ord. No. 36-79; 2-20-1991 by Ord. No. 6-91; 2-7-1996 by Ord. No. 1-96; 3-18-1998 by Ord. No. 5-98; 2-15-2006 by Ord. No. 3-06]

The Parks and Recreation Advisory Committee of the Township of Morris shall be composed of 21 members to be appointed as follows:

A. Class I: 18 residents of the Township of Morris appointed at large by the Township Committee for terms of two years, said terms to commence on January 1 of the year of appointment. Within this class of appointees there exists two groups, all of which serve for two years having staggered anniversary dates:

(1) Group I consists of that group (initially) appointed or their successors under the prior ordinance for a term designated as two years and shall be constituted with nine members.

(2) Group II consists of that group appointed or their successors (initially appointed) under the prior ordinance for a term designated as two years and shall be constituted with nine members.

B. Class II: the Parks and Recreation Committee Chairman of the Township Committee, the Deputy Parks and Recreation Committee Chairman of the Township Committee, and the Township Parks and Recreation Director, their terms to correspond to their terms of appointment by the Township Committee.

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ORDINANCES - INTRODUCTION (CONTINUED)

1-09 AN ORDINANCE AMENDING CHAPTER 18, ENTITLED "RECREATION ADVISORY COMMITTEE", OF THE CODE OF THE TOWNSHIP OF MORRIS (CONTINUED)

§ 18-3. Vacancies.

In the event that any member of the Parks and Recreation Advisory Committee shall resign or be unable to serve for any reason as a member of said Committee, the vacancy created thereby shall be filled for the remainder of his term in the manner provided for appointments under § 18-2 above.

§ 18-4. Duties and powers.

A. It shall be the duty of the Parks and Recreation Advisory Committee of the Township of Morris to:

(1) Make studies, surveys and recommendations to the Morris Township Committee with respect to recreation programs and the planning, development, construction and maintenance of the recreation facilities of the Township of Morris, including the municipal swimming pools.

(2) Recommend to the Township Committee the fees, if any, to be charged for use of the said recreation facilities, including the municipal swimming pools.

(3) Recommend to the Township Committee rules and regulations to be adopted with respect to the use of the township recreation facilities, including the municipal swimming pools.

(4) Make recommendations to the Township Committee on any other matters which may be referred to the Committee by the Township Committee.

B. The Parks and Recreation Advisory Committee shall have no powers other than those set forth herein and shall not commit the Township of Morris to the commission or omission of any act or thing, nor shall it establish any policy of the Township of Morris, nor shall it waive any policy, rules, regulations or ordinances previously established by the Township of Morris.

§ 18-5. Expenditures.

The Parks and Recreation Advisory Committee shall have no authority to expend any money or incur any expense or commit the Township of Morris to the expenditure of any money unless and until the same shall have been specifically authorized and approved by the Township Committee of the Township of Morris.

§ 18-6. Meetings and officers.

A. Meetings shall be held at such time and place as shall be determined annually by resolution of the Parks and Recreation Advisory Committee, but there shall be an annual meeting for Committee organization, to be held during January of each year.

B. There shall be elected at the annual organization meeting each year a Chairman and a Vice Chairman, both of whom shall hold office for one (1) year and be elected by a majority vote of the Committee. [Amended 3-12-75 by Ord. No. 8-75].

§ 18-7. Repealer.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

§ 18-8. When effective.

This ordinance shall take effect upon final passage and publication thereof, as provided for by law.

SECTION TWO: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

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ORDINANCES - INTRODUCTION (CONTINUED)

1-09 AN ORDINANCE AMENDING CHAPTER 18, ENTITLED "RECREATION ADVISORY COMMITTEE", OF THE CODE OF THE TOWNSHIP OF MORRIS (CONTINUED)

SECTION THREE: All Ordinances of the Township of Morris which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

FINAL CONSIDERATION: 3/4/2009

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SYNDER YES
MAYOR ROSENBUSH YES

* * *

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:

RE: CONSENTING TO THE APPLICATION FOR WATER SERVICE OUTSIDE THE DISTRICT OF THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY:

<u>MUNICIPALITY</u>	<u>LOT</u>	<u>BLOCK</u>	<u>STREET</u>	<u>NAME</u>
Township of Harding	5	19	James St. &	Peter Frelinghuysen
	22	3.02, 4, 4.03, 4.04, 4.05 & 5	Sand Spring Lane	

WHEREAS, the Southeast Morris County Municipal Utilities Authority has received a request from the Township of Harding for water service for Block 5, Lot 19 and Block 22, Lots 3.02, 4, 4.03, 4.04, 4.05 and 5, which is outside the District of the Authority, and

WHEREAS, the proposed extension requires the approval of the Authority's four creating municipalities, and

WHEREAS, the property in question fronts on or has reasonable access to the Authority's system and no "new extension" (as defined in the Service Contract between the Authority and its creating municipalities dated January 20, 1977) is required, and

WHEREAS, the Authority has determined and advised that the proposed service connection can be made without any adverse effect on the system and that no further extension of the system is foreseen as a result of providing service to this property, and

WHEREAS, the Authority has requested that the creating municipalities give consent to the proposed new extension.

BE IT RESOLVED that consent is hereby given to the Southeast Morris County Municipal Utilities Authority to provide water service to Block 5, Lot 19 and Block 22, Lots 3.02, 4, 4.03, 4.04, 4.05 and 5, Township of Harding.

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RESOLUTIONS (CONTINUED)

RE: CONSENTING TO THE APPLICATION FOR WATER SERVICE OUTSIDE THE DISTRICT OF THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY (CONTINUED)

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SYNDER YES
MAYOR ROSENBUSH YES

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AUTHORIZING AWARD OF AN INCREASE IN THE PROFESSIONAL SERVICE CONTRACT FOR ENGINEERING SERVICES IN CONJUNCTION WITH OTE: 2008-07 SPEEDWELL AVENUE BEAUTIFICATION PROJECT TO KELLER & KIRKPATRICK - IN THE AMOUNT OF \$6,380 FOR A TOTAL NOT TO EXCEED \$54,080

WHEREAS, the Township Committee awarded a contract to Keller & Kirkpatrick, 301 Gibraltar Drive, Suite 2A, Morris Plains, NJ 07950-3409 at a meeting held on June 20, 2007, in an amount not to exceed \$47,700; and

WHEREAS, due to a change order proposed by the contractor of the project, a significant review of the plan was required at an additional cost of \$6,380; and

WHEREAS, the Chief Financial Officer has filed a Certificate of Availability of Funds indicating funds are available in General Capital Ordinance 606-020.

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 additional professional services is hereby awarded to Keller & Kirkpatrick. for professional engineering services related to contract OTE: 2008-07, Speedwell Avenue Beautification Project in an additional amount of **\$6,380**, for a total not to exceed \$54,080.

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SYNDER YES
MAYOR ROSENBUSH YES

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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

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RESOLUTIONS (CONTINUED)

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

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".

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. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SYNDER YES
MAYOR ROSENBUSH YES

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RESOLUTION REFERRING CHAPTER 95 SECTION 95-21 (B-11 Zone) TO THE PLANNING BOARD FOR REVIEW AND RECOMMENDATION

WHEREAS, certain parcels of land in the Township of Morris are located in the B-11 zone; and

WHEREAS, such parcel is located on Martin Luther King Avenue in the Township; and

WHEREAS, The Township Committee has been made aware that the Town of Morristown has expressed an interest in relocating the Morristown Department of Public Works to this property; and

WHEREAS, The Township Committee after a careful review of the requirements of the B-11 zone is satisfied that the proposed use by The Town of Morristown is neither a permitted use nor an allowed conditional use within that zone, in any location within the Township; and

WHEREAS, The Township Committee wishes to insure that the Zoning Ordinances of The Township of Morris clearly reflect the policy and philosophy of The Township to the effect that the operation of a Department of Public Works facility in the B-11 zone in any location in The Township of Morris is wholly inconsistent with the intent and purpose of the Master Plan and the Zoning Ordinances of The Township of Morris.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS AS FOLLOWS:

1. The Township Committee hereby requests that the Planning Board review Chapter 95 and Chapter 57 and make any and all recommended changes to those chapters to give full force and effect to the philosophy of The Township as expressed herein.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
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RESOLUTIONS (CONTINUED)

RESOLUTION REFERRING CHAPTER 95 SECTION 95-21 (B-11 Zone) TO THE PLANNING BOARD FOR REVIEW AND RECOMMENDATION (CONTINUED)

2. The Clerk is hereby directed to forward a copy of this resolution to the Mayor and Council of the Town of Morristown so that there is no misunderstanding as to the position of Morris Township on this matter.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SYNDER YES
MAYOR ROSENBUSH YES

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RESOLUTION RE: DISCIPLINARY ACTION - JASON BOUGH

WHEREAS, disciplinary charges were served on Jason Bough, an employee of the Township of Morris and a member of the International Brotherhood of Teamsters, Local 469; and

WHEREAS, the disciplinary charges alleged that Bough had been absent without leave, engaged in excessive and chronic absenteeism, neglect of duty, conduct unbecoming a public employee and other sufficient cause for disciplinary action; and

WHEREAS, in September 2005, Bough entered into a Settlement Agreement ("last chance agreement"), which provided, *inter alia*, that if Bough violated any Township rule, misconduct, incurred any disciplinary action, or was convicted of a crime, the Township would terminate his employment; and

WHEREAS, the Township Committee in closed session reviewed the factual basis supporting the disciplinary charges which were proffered against Bough and provided Bough an opportunity to address the allegations set forth in the disciplinary charges.

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

1. Jason Bough is in violation of the charges set forth in the disciplinary action, and such charges shall be sustained.
2. Jason Bough's employment with the Township of Morris is and shall be immediately terminated due to Bough's violation of the charges proffered against him.
3. Jason Bough's termination is for cause.
4. Jason Bough has no reemployment rights with the Township of Morris other than those set forth in the collective negotiations agreement between the Township of Morris and International Brotherhood of Teamsters Local 469 and the Township of Morris ordinances and resolutions, if any.
5. Jason Bough has waived his right to review of this determination pursuant to the express terms of the Settlement Agreement ("last chance agreement") executed in September 2005.

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RESOLUTIONS (CONTINUED)

RESOLUTION RE: DISCIPLINARY ACTION - JASON BOUGH (CONTINUED)

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SYNDER YES
MAYOR ROSENBUSH YES

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PUBLIC COMMENT/INQUIRY

Mayor Rosenbush, 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:

Mrs. Leslie Bensley 18 Valley View Street - speed and traffic on Mendham Road.

Mr. Casey Frey, 54 Whitehead Road - speed on Mendham Road.

Mr. Miley Kirby, 41 Whitehead Road - speed on Mendham Road.

Ms. Charlene Anderson, 7 Emmett Avenue - Verizon property/ traffic on Martin Luther King Ave.

Ms. Harriet Grose, Picatinny Road - 40 MPH speed on Mendham Road, would like it lowered.

Mr. Lee Goldberg, 10 Arrowhead Road - Gary DuBois - process for RFP for IT. Inamere Road is County project.

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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 permission to Morristown Running Co. to hold its 5th Annual St. Patty's Day 5K Run on March 14, 2009 from 9:30 A.M. (Kids Mile), 10:00 A.M. (5K Run), leaving from Ginty Field Police Station up Woodland to Kitchell and back down South Street, subject to the approval of the Police Chief, Parks and Recreation Director and Board of Health, and the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.
2. Accepted, with regret and appreciation for services rendered, the resignation of Nancy Moseson from the Beautification Committee, effective February 4, 2009.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SYNDER YES
MAYOR ROSENBUSH YES

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**TOWNSHIP COMMITTEE MEETING
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MATTERS OF OTHER BUSINESS

NONE

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MATTERS RECEIVED FOR THE RECORD

The following items were officially received for the record and placed on file in the Office of the Township Clerk, to be retained in accordance with the related specific detail of the current record retention schedule promulgated by the New Jersey Bureau of Archives:

1. Differentiated Case Management Pilot Program, Case Information Statement (CIS-LP) filed With the Tax Court of New Jersey for Block 5902, Lot 2, 63 Overlook Road, owners: Dethy, Douglas & Kozlowski, Marianne.

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TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS

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

MR. CAFFREY

1. Thanked the DPW for an outstanding job on the roads.
2. Attended an OEM dinner at the Brentwoods - volunteer time.
3. Thanked the Little League - letters are going out.

MR. GOLDBERG

1. Condolences to the Fire Chief Craig Goss and his wife on the loss of their son Ryan; Mr. Goldberg will be celebrating the birth of a granddaughter.
2. Engineering Committee. the Township Engineer, Mr. Slate, Mr. Rosenbush and I met to discuss capital project . Although there are not yet specific guidelines, Mr. Slate is over-preparing to ensure we do not miss opportunities.
3. Convened the first 2009 monthly meeting of Parking Standing Committee on February 19. We discussed the current operation, some short term issues and began a planning process for the longer term. We will be meeting 3rd Thursdays at 50 Woodland Avenue I also wish to acknowledge the Parking Enforcement Officer Walter Clark, who along with Parking Utility Manager Randy Williams, is keeping things running smoothly, and it's going to get even better.

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TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. GOLDBERG (CONTINUED)

4. I convened the first 2009 monthly meeting of the Sanitary Sewer Standing Committee on January 26th and began the annual review of personnel, capital project priorities, operating budget, and long term planning. We will be meeting 4th Thursdays and alternating between the Lake Valley Road Plant and the Florence Avenue Plant.
5. In response to traffic and pedestrian safety concerns voiced by the Burnham Park Association, Lt. Rich Ferrone, and Assistant Township Engineer Dave Hansen, conducted studies. On the evening of January 22, they presented recommendations to Police Chief Quinn, and Mr. Rosenbush and I representing the Engineer's sub-committees. These same recommendations will be presented to the BPA this Friday. I want to express my appreciation to Assistant Engineer Hansen and Lt. Ferrone for conducting very thorough and professional process.

MR. GRAYZEL

1. Thanked everyone for coming to the meeting.
2. Speeding issue has experienced aggressive drivers and went to court and encouraged residents in the area to do the same.
3. Mennen Sports Skating Championships hosted at Mennen; Parks and Recreation Advisory Committee met and are planning for upcoming season.
4. Recognized the resignation of Nancy Moseson after 10 years of service to the Township. All volunteers are appreciated. There is an opening on the Beautification Committee.

MR. SNYDER

1. Seconded what Ron expressed - DPW has done an outstanding job on the roads.

MAYORAL COMMENTARY - MAYOR H. SCOTT ROSENBUSH

1. Thanked the residents for coming out this evening.
2. Speeding is a problem throughout the Township. The Police Department has signs that have been an asset in slowing down traffic and will be rotated throughout the Township. Neighborhoods experiencing speeding will be referred to Police Department for review. Enforcement to be stepped up (police can use Mrs. Gross's driveway).
3. Thanked Messrs. Mills, Rossi and Slate on short notice regarding B-11 Zone on Martin Luther King Avenue - hopefully this will have an impact.
4. Harding project - conditions have changed - Township considering options.
5. Budget process is commencing; new union in the Township.

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CONSIDERATION OF MONTHLY REPORTS

NONE

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

The Governing Body recessed at 9:01 P.M., the February 4, 2009 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

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CALL TO ORDER AND ADJOURNMENT

At 9:50 P.M. after much discussion, the February 4, 2009 recessed Regular Meeting was called to order and a resolution entitled "**RESOLUTION RE: DISCIPLINARY ACTION - JASON BOUGH**" was adopted (5-0); thereafter the regular meeting was recessed at 10:52 P.M. to a closed meeting and a discussion regarding a building on Martin Luther King Avenue, a resolution was adopted (5-0) entitled "**RESOLUTION REFERRING CHAPTER 95 SECTION 95-21 (B-11 Zone) TO THE PLANNING BOARD FOR REVIEW AND RECOMMENDATION**"; and with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 11:16 P.M., next to convene at the 8:00 P.M., February 18, 2009, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: FEBRUARY 12, 2009

**MINUTES OF “CLOSED MEETING” OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, FEBRUARY 4, 2009, 9:01 P.M.**

CALL TO ORDER

The “Closed Meeting” as defined in the Open Public Meetings Act, Chapter 231 of the Public Laws of 1975, as authorized by the resolution duly adopted at the February 4, 2009 Regular Meeting, was called to order by Mayor H. Scott Rosenbush at 9:01 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey, during a recess of the February 4, 2009 Regular Meeting.

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ATTENDANCES

The following attendances were noted:

ELECTED OFFICERS

GOVERNING BODY

Mayor H. Scott Rosenbush
Deputy Mayor Daniel W. Caffrey
Township Committee Member Ronald M. Goldberg
Township Committee Member Jeffrey R. Grayzel
Township Committee Member Raymond L. Snyder

APPOINTED OFFICERS

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

* * *

PRESIDING OFFICER’S STATEMENT OF DISCUSSION ITEMS

Mayor H. Scott Rosenbush announced that in accordance with the resolution adopted this date authorizing the conducting of this “Closed Meeting”, discussion would be limited to “Legal and Personnel Matters”.

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**TOWNSHIP OF MORRIS
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1. DISCUSSION CONCERNING “LEGAL MATTERS” (8:03 P.M.)

Discussion Re: Verizon Property, Martin Luther King Avenue.
Adjourned 8:15 P.M. to Regular Meeting.

2. HEARING CONCERNING "PERSONNEL MATTERS" (9:01 P.M.)

Present were: James Prusenowski, Esq., James Stoia, Superintendent of DPW, Thomas Eschmann, Assistant Superintendent of DPW, Michael Broderick, Union Representative from Teamster Local 469, David Flynn, Shop Steward, DPW and Fred Webber, Shop Steward, Sanitation, Jason Bough, DPW employee of the Township and a member of the International Brotherhood of Teamsters, Local 469.

Mr. Prusenowski, Counsel for the Township of Morris summarized the charges and events leading to this hearing.

Mr. Bough explained the circumstances and that he has been trying to resume a normal life.

Mr. Bough was advised that he entered into a Settlement Agreement (last chance).

The Township Committee carefully reviewed and discussed the factual basis supporting the disciplinary action.

Adjourned 9:50 P.M. to Regular Meeting.

3. DISCUSSION CONCERNING “LEGAL MATTERS” (10:52 P.M.)

Discussion Re: Litigation - Combs Landfill - cost of counsel.
Discussion Re: Mt. Kemble - open space.

Adjourned 11:15 P.M.

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DISCUSSION CONCERNING "PERSONNEL MATTERS"

Appealing the following positions which the Township feels should be exempt from Council #6 Union. They are: Lab Manager - Sewer Department; Assistant Tax Assessor; Records Manager - Police Department.

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**TOWNSHIP OF MORRIS
CLOSED MEETING
FEBRUARY 4, 2009 – PAGE 3**

ADJOURNMENT

With no further business to be considered, on motion duly made, seconded and unanimously adopted, the Closed Meeting was adjourned at 11:16 P.M., to resume the February 4, 2009 Regular Meeting agenda.

CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: FEBRUARY 13, 2009

**MINUTES OF “CLOSED MEETING” OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, FEBRUARY 4, 2009, 9:01 P.M.**

CALL TO ORDER

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ATTENDANCES

The following attendances were noted:

ELECTED OFFICERS

GOVERNING BODY

Mayor H. Scott Rosenbush
Deputy Mayor Daniel W. Caffrey
Township Committee Member Ronald M. Goldberg
Township Committee Member Jeffrey R. Grayzel
Township Committee Member Raymond L. Snyder

APPOINTED OFFICERS

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

* * *

PRESIDING OFFICER’S STATEMENT OF DISCUSSION ITEMS

Mayor H. Scott Rosenbush announced that in accordance with the resolution adopted this date authorizing the conducting of this “Closed Meeting”, discussion would be limited to “Legal and Personnel Matters”.

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**TOWNSHIP OF MORRIS
CLOSED MEETING
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DISCUSSION CONCERNING “LEGAL MATTERS” (10:52 P.M.)

Discussion Re: Litigation - Combs Landfill - cost of counsel.
Discussion Re: Mt. Kemble - open space.

Adjourned 11:15 P.M.

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DISCUSSION CONCERNING "PERSONNEL MATTERS"

Appealing the following positions which the Township feels should be exempt from Council #6 Union. They are: Lab Manager - Sewer Department; Assistant Tax Assessor; Records Manager - Police Department.

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ADJOURNMENT

With no further business to be considered, on motion duly made, seconded and unanimously adopted, the Closed Meeting was adjourned at 11:16 P.M., to resume the February 4, 2009 Regular Meeting agenda.

CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: FEBRUARY 13, 2009