

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

CALL TO ORDER

The April 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

* * *

PLEDGE OF ALLEGIANCE

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

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

**TOWNSHIP COMMITTEE MEETING
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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 April 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".

* * *

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.

* * *

APPROVAL OF MINUTES

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

MARCH 19, 2008 - REGULAR MINUTES
MARCH 19, 2008 - CLOSED MINUTES

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

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

* * *

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PRESENTATION - RESOLUTION - PAIGE L'HOMMEDIU (HISTORICAL PRESERVATION COMMITTEE)

Mr. L'Hommedieu was presented with a resolution in recognition and of congratulations for all his time volunteering as a member of the Historic Preservation Committee. He thanked the Township Committee for their support over the years.

* * *

POLICE DEPARTMENT PROMOTIONS-PRESENTATION OF BADGES

Police Chief Timothy Quinn and Captain Dennis Reilly were present. Chief Quinn introduced the police officers who are being promoted: Mark McGuinness, an eighteen year veteran, was promoted to Sergeant. John Hall, a fifteen year veteran, was promoted to Lieutenant and John McGuinness, an eighteen year veteran, was promoted to Captain. The three officers were sworn in by Mr. Mills and Mayor Nace and Mr. Grayzel presented badges.

* * *

ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION

The Township Clerk advised that each Ordinance scheduled for public hearing at this meeting had been duly posted on the legal notice bulletin board in the Municipal Building, published in the Daily Record, as supported by proof of publication which had been received and placed on file, and further, that copies of the Ordinance had been provided to the members of the General Public on request.

Each Ordinance as hereinafter set forth in full was read a second time, a public hearing held hereon, with public comments and communications of record, if any, as hereinafter noted, finally adopted by the vote as herein recorded:

ORDINANCE #6-08 - ORDINANCE AUTHORIZING APPROPRIATION FROM THE GENERAL CAPITAL FUND BALANCE FOR THE PURCHASE OF THREE (3) GENERATORS AT VARIOUS FIRE DEPARTMENT LOCATIONS

PUBLIC COMMENT

Mr. Rosenbush summarized this ordinance, the reason and use. 2 generators are to be purchased immediately.

COMMUNICATIONS OF RECORD

NONE

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

- - -

**TOWNSHIP COMMITTEE MEETING
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**ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION
(CONTINUED)**

ORDINANCE #7-08 - AN ORDINANCE AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED 'VEHICLES AND TRAFFIC', ARTICLE IIA, SECTION 88-2A.2 AND SCHEDULE II 'HANDICAPPED PARKING SPACES' (28 SHERMAN AVENUE)

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

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

- - -

ORDINANCE #8-08 - AMENDING CHAPTER 95, SECTION 36, OF THE ZONING ORDINANCE OF THE TOWNSHIP OF MORRIS (FENCES AND WALLS)

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
Letter of approval from the Planning Board dated April 11, 2008.

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

- - -

ORDINANCE #9-08 - AN ORDINANCE AMENDING CHAPTER 78 OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "SOLID WASTE DISPOSAL"

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

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

* * *

**TOWNSHIP COMMITTEE MEETING
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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 May 21, 2008, regular meeting at 8:00 P.M.:

ORDINANCE #10-08 - AMENDING CHAPTER 88, ARTICLE II: ADDING A NEW SECTION 88-2.12
PARKING ON PRIVATE PROPERTY PROHIBITED

- INTRODUCTION (CONTINUED)

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

RESOLUTION AUTHORIZING RETURN OF MONIES REMAINING IN CLIENT'S ESCROW ACCOUNT

WHEREAS, the following escrow account have completed the Planning Board/Board of Adjustment application process, and

WHEREAS, the Township Engineer has certified this escrow account may now be released, and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that the following escrow account be closed and the balance of all monies returned to the applicant.

Name	Balance	Escrow Account #
SAJ Associates, L.L.C. (for Mt. Kemble Development, L.L.C. application)	\$ 92.46	E-12-56-808-642

RESOLUTION AUTHORIZING RETURN OF MONIES REMAINING IN CLIENT'S ESCROW ACCOUNT (CONTINUED)

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

- - -

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RESOLUTIONS (CONTINUED)

RESOLUTION IN RECOGNITION OF THE 60th ANNIVERSARY OF THE STATE OF ISRAEL

EXPRESSING the sense of the Township of Morris on the occasion of the 60th anniversary of the founding of the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States/Morris Township and Israel.

WHEREAS, 2008 marks the 60th anniversary of the founding of the modern Jewish State of Israel; and

WHEREAS, on November 29, 1947 the United Nations General Assembly voted to partition the British Mandate of Palestine, and through that vote, to create the State of Israel; and

WHEREAS, officially declared an independent nation on May 14, 1948, Israel plans a series of events to celebrate its diamond jubilee; and

WHEREAS, since its establishment sixty years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic society, and created a unique and vital economic, political, cultural, and intellectual life; and

WHEREAS, in its 60 years of existence, Israel has become the most successful democracy in the Middle East; and

WHEREAS, in its 60 years of existence, Israel has fostered many innovations which have benefited the world; and

WHEREAS, Israel continues to strive for peace with security and dignity for themselves and their neighbors; and

WHEREAS, the people of Morris Township, New Jersey feel a strong kinship with the State of Israel; and

WHEREAS, with the anniversary observance taking place throughout the year, Israel will celebrate its anniversary with events marking the birth and development of the state, the struggle to find peace and security, and its hopes for the future.

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

- (1) recognizes the historic significance of the sixtieth anniversary of the reestablishment of the sovereign and modern State of Israel;
- (2) commends the people of Israel for their remarkable achievements in building a new state and a pluralistic democratic society in the Middle East and their achievements which have advanced the well-being of people everywhere;
- (3) reaffirms the bonds of friendship and cooperation which have existed between the United States and Israel for six decades and which have been significant for both countries; and

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RESOLUTIONS (CONTINUED)

**RESOLUTION IN RECOGNITION OF THE 60th ANNIVERSARY OF THE STATE OF ISRAEL
(CONTINUED)**

- (4) extends the warmest congratulations and best wishes to the State of Israel and her people for a peaceful, prosperous and successful future.

RESOLVED FURTHER, that the Clerk of the Township of Morris transmit a copy of this resolution to Israeli Ambassador Sallai Meridor as an expression of Morris Township's admiration for Israel's manifold accomplishments and best wishes for a peaceful and prosperous future.

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

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**A RESOLUTION OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, STATE OF NEW
JERSEY, AUTHORIZING MUTUAL AID AGREEMENTS AND INTERLOCAL SERVICE
AGREEMENTS BETWEEN THE TOWNSHIP POLICE DEPARTMENT AND NEIGHBORING
POLICE DEPARTMENTS**

WHEREAS, N.J.S.A. 40A:14-156.1 provides that the governing bodies of two or more municipalities may by reciprocal ordinances enter into agreements with each other for mutual police or fire aid in case of emergency; and

WHEREAS, N.J.S.A. 40:8A-1 et. seq. provides that the governing bodies of two or more municipalities may by resolution enter into inter-local service agreements; and

WHEREAS, the Chief of the Morris Township Police Department desires to enter into such agreements with surrounding police departments; and

WHEREAS, the Morris Township Police Department and most other police departments have contractual provisions with their officers permitting off-duty employment, including but not limited to construction traffic duty, for third parties when such work is provided through the police department and the officer is paid by the third party; and

WHEREAS, there may be times when there are no local officers available to perform off-duty traffic duty for third parties;

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

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RESOLUTIONS (CONTINUED)

A RESOLUTION OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING MUTUAL AID AGREEMENTS AND INTERLOCAL SERVICE AGREEMENTS BETWEEN THE TOWNSHIP POLICE DEPARTMENT AND NEIGHBORING POLICE DEPARTMENTS (CONTINUED)

1. The Mayor and Township Clerk are hereby authorized to execute the mutual aid agreements with Chatham Borough, Township of Chatham, City of Summit, Madison Borough, Borough of New Providence, Township of Berkeley Heights, Town of Morristown, Long Hill Township, Harding Township, Warren Township and Bernards Township, copies of which are attached hereto and incorporated herein by reference.
2. The Mayor and Township Clerk are hereby authorized to execute the police interlocal service agreements with Chatham Borough, Township of Chatham, City of Summit, Madison Borough, Borough of New Providence, Township of Berkeley Heights, Town of Morristown, Long Hill Township, Harding Township, Warren Township and Bernards Township, copies of which are attached hereto and incorporated herein by reference.
3. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.
4. In case any part of the ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other part of this ordinance except insofar as the part declared invalid shall be inseparable from the remainder of any other part thereof.
5. This resolution shall take effect as provided by law.

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

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AUTHORIZING APPOINTMENT OF FRED J. ROSSI, TOWNSHIP ADMINISTRATOR, AS THE DESIGNATED PUBLIC AGENCY COMPLIANCE OFFICER RELATIVE TO PUBLIC CONTRACTS AND EQUAL EMPLOYMENT IN PUBLIC CONTRACTS

WHEREAS, the New Jersey Department of the Treasury, Division of Contract Compliance and Equal Employment Opportunity in Public Contracts, requests the Township of Morris designate a Public Agency Compliance Officer; and

WHEREAS, in his capacity as Township Administrator, Fred J. Rossi, would be the most logical and appropriate official to fulfill this request made by the Department of the Treasury; and

WHEREAS, Mr. Rossi's appointment will take effect immediately and run through December 31, 2008.

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING APPOINTMENT OF FRED J. ROSSI, TOWNSHIP ADMINISTRATOR, AS THE DESIGNATED PUBLIC AGENCY COMPLIANCE OFFICER RELATIVE TO PUBLIC CONTRACTS AND EQUAL EMPLOYMENT IN PUBLIC CONTRACTS (CONTINUED)

1. Fred J. Rossi, Township Administrator shall be designated as the Public Agency Compliance Officer for the Township of Morris with his appointment effective immediately and running through December 31, 2008.
2. That a certified copy of this resolution be filed with the New Jersey Department of the Treasury.

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

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AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (3-\$19,664.49)

WHEREAS, the Collector of Taxes has certified to the Township of Morris that certain payments be refunded, and

WHEREAS, the Governing Body has reviewed said certification and approved the same.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, that these monies be refunded, i.e.:

Block	Lot	Name	Reason	Amount
<u>TAX</u>				
8304	15	Walter J. Wary Jr.	Refund of Vet Deduction	\$ 250.00
8701	23	John Paul Cassese	Refund O/P-3 rd 2004, 4 th 2006 & all 2007	\$10,461.05
8701	40	John Paul Cassese	Refund O/P-4 th 2006 & all 2007	\$ 8,953.44

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

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AUTHORIZING AWARD OF CONTRACT FOR BID OTE: 2008-5 - TWO FIRE DEPARTMENT BACKUP GENERATORS (FOR MT. KEMBLE AND COLLINSVILLE FIRE HOUSES) AWARDED THROUGH A FAIR AND OPEN PROCESS - AWARDED TO VIENNA ELECTRIC, 36 MENDHAM AVENUE, MORRISTOWN, NJ 07960 IN AN AMOUNT NOT TO EXCEED \$109,986.00

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following: TWO FIRE DEPARTMENT BACKUP GENERATORS (FOR MT. KEMBLE AND COLLINSVILLE FIRE HOUSES), and

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WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to the lowest responsible bidder: VIENNA ELECTRIC, 36 Mendham Avenue, Morristown, NJ 07960, and

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT THROUGH A COMPETITIVE BIDDING PROCESS FOR BID OTE: 2008-5 - TWO FIRE DEPARTMENT BACKUP GENERATORS (FOR MT. KEMBLE AND COLLINSVILLE FIRE DEPARTMENTS) - AWARDED TO GARY VIENNA, 36 MENDHAM AVENUE, MORRISTOWN, NJ 07960 IN AN AMOUNT NOT TO EXCEED \$109,986.00 (CONTINUED)

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 line item appropriation, resolution or ordinance: Mt. Kemble Generator #G-04-55-712-070 (\$41,666); Collinsville Generator G-04-55-712-071 (\$41,667); and Fire Generator (3) G-04-55-806-070 (\$26,653).

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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 Vienna Electric, 36 Mendham Road, Morristown, NJ 07960 for t backup generators for Mt. Kemble (\$52,568) and Collinsville (\$57,418) Fire Houses for a total not to exceed \$109,986.00, and Vienna Electric shall be requested to maintain their bid for the Fairchild Firehouse until December 31, 2008 in the event the Township Committee decides to issue a contract change order for the installation of said generator.
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.

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ROLL CALL: MR. GOLDBERG NO 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 SERVICES TO LEWIS S. GOODFRIEND & ASSOCIATES FOR THE PURPOSE OF PROVIDING ACOUSTICAL ENGINEERING SERVICES FOR THE TOWNSHIP OF MORRIS, IN AMOUNT NOT TO EXCEED \$5,800.00

WHEREAS, the Township of Morris has need for the professional services of a certified acoustical engineer 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 acoustical 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

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO LEWIS S. GOODFRIEND & ASSOCIATES FOR THE PURPOSE OF PROVIDING ACOUSTICAL ENGINEERING SERVICES FOR THE TOWNSHIP OF MORRIS, IN AMOUNT NOT TO EXCEED \$5,800.00 (CONTINUED)

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

WHEREAS, Lewis S. Goodfriend & Associates, Consulting Engineers in Acoustics, 760 Route 10 West, Whippany, NJ 07981-1159, has submitted a proposal dated March 20, 2008 indicating they will provide the acoustical engineering services for \$5,800; 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 Lewis S. Goodfriend & Associates for the provision of acoustical engineering services for a fee not to exceed \$5,800 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

- - -

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".

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-excepted 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.

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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)

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

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RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS
RE: JUST AROUND THE CORNER - LICENSE NO. 1422-44-001-005

WHEREAS, the Township of Morris did prefer certain charges against the above licensee alleging the sale of alcohol to an underage person; and

WHEREAS, the Township did hold a hearing thereon on March 5, 2008 and on April 16, 2008; and

WHEREAS, after due deliberation, the Township Committee did enter a finding of violation.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township of Morris that the penalty hereby levied shall be a suspension of license to be served commencing April 21, 2008 on consecutive Monday's, Tuesday's, and Wednesday's until the total period of suspension of fifteen (15) days has been served.

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

- - -

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS
RE: LYNNEDER LLC D/B/ THE PALM BAR - LICENSE NO. 1422-33-002-009
4 JOHN STREET

WHEREAS, the Township of Morris did prefer certain charges against the above licensee alleging inter alia, the sale of alcohol to an underage person (two counts) and the presence of non-employees on the premises after the legal hours for sale, to include the consumption of alcohol; and

WHEREAS, the Township did hold a hearing thereon on April 16, 2008; and

WHEREAS, after due deliberation, the Township Committee did enter a finding of violation following a guilty plea by the licensee.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township of Morris that the penalty hereby levied shall be a twenty (20) day suspension of license to be served commencing April 20, 2008 on consecutive Sunday's, Monday's, Tuesday's, Wednesday's and Thursday's (i.e.

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RESOLUTIONS (CONTINUED)

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS
RE: LYNNEDER LLC D/B/ THE PALM BAR - LICENSE NO. 1422-33-002-009
4 JOHN STREET (CONTINUED)

from 2:00 am Sunday through 2:00 am Thursday) until the total period of suspension of twenty (20) days has been served.

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

- - -

RE: DENYING GRIEVANCE OF POLICE OFFICER DOUGLAS TURNER

BE IT RESOLVED by the Township Committee of the Township of Morris, that after due deliberation and consideration, the Grievance No. 08-01 filed by Patrolman Douglas Turner is hereby denied.

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

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ABC ADMINISTRATIVE HEARING - JUST AROUND THE CORNER

Mr. John Iacofano, Prosecutor summarized the charges. Mrs. Diana Ritchie was present. After discussion the penalty was 15 days suspension, Mondays, Tuesdays and Wednesdays, starting on April 21, 2008 for five weeks.

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

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ABC ADMINISTRATIVE HEARING - TEQUILLA EDDIES/THE PALM BAR

Mr. John Iacofano, Prosecutor summarized the charges. Also present were Captain Dennis Reilly and Mr. Werner, attorney for The Palm Bar. After discussion, the penalty was 20 days suspension commencing April 20, 2008, closed Sundays, Mondays, Tuesdays, Wednesdays.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON NO
MAYOR NACE NO

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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. Lee Goldberg, 10 Arrowhead Road - performance bond on consent calendar - ordinance procedure - municipal messenger; subject matter - introduce new committee - sidewalk, garbage truck location.

Mr. Dan Caffrey, 24 Tall Timber Drive - generator Fairchild Fire Company.

Ms. Elinor Liebesman, 69 Pippins Way, sidewalks, garbage collection and return of cans when emptied.

* * *

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. Approved, in accordance with a memo dated March 19, 2008 from James R. Slate, Township Engineer (ENG-076-08) the request for a partial reduction of Performance Bond #FP0011015 in the project known as "The Brownstones at Convent Station", Block 8402, Lots 7 & 8, Punch Bowl Road, as follows:

142,585.12	
70% REDUCTION	99,809.58
REVISED PERFORMANCE BOND	\$ 42,775.54.

Deleted: TOTAL COST OF IMPROVEMENTS

Deleted: \$

2. Granted permission to St. Virgil Church to hold its annual carnival, May 7-10, 2008 at 250 Speedwell Avenue, subject to approval of the Police and Fire Chiefs and the submission of a Certificate of Insurance with a Hold Harmless Clause naming the Township as an additional insured.
3. Granted a Vehicle For Hire License (Operator) to Frederick M. Nyabwari, 23 Jewett Avenue, Jersey City, NJ 07304, driver for J & J Taxi and Limousine Service.
4. Approved, in accordance with a memo dated April 7, 2008 from Fire Chief Craig Goss, Brendan F. McCloskey, 44-11 Piedmont Court, Morristown, as a volunteer fireman for the Township Fire Department (Woodland Hook & Ladder Company).
5. Approved, in accordance with a memo dated April 7, 2008 from Police Chief Timothy Quinn, the promotions of the following, effective April 28, 2008:

Lt. John McGuinness to Captain (\$120,465.00);
Sgt. John Hall to Lieutenant (\$113,578.00);
Det. Mark McGuinness to Sergeant (\$ 99,543.00).

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CONSENT CALENDAR (CONTINUED)

6. Approved, in accordance with a memo dated April 10, 2008 from Police Chief Timothy Quinn, Brian Paulison, 75 Maple Avenue, Morris Plains, as a Probationary Communications Officer, effective May 12, 2008 (2007 salary of \$31,193.00).
7. Approved, in accordance with a memo dated April 9, 2008 from Craig Goss, Fire Chief, Adam J. Boxell, 17 1/2 Gregory Avenue, Morris Plains as a volunteer fireman for the Township Fire Department (Fairchild Fire Company).
8. Approved, in accordance with a memo dated April 10, 2008 from Craig Goss, Fire Chief, the transfer of Benjamin E. Zinckgraf, 49 Village Drive, Morristown, from Fairchild Fire Company to the Woodland Hook & Ladder Company, effective April 16, 2008.
9. Approved, in accordance with a memo dated April 9, 2008 from Craig Goss, Fire Chief, Joseph Alesso, as a qualified operator and driver of fire department Engine #401 (Woodland Hook & Ladder Company).
10. Approved, in accordance with a memo dated April 10, 2008 from Craig Goss, Fire Chief, the removal of John DeCruz as a firefighter for the Township Fire Department (Fairchild Fire Company).

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

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. Notice from the County Planning, Development & Technology Department that they received on March 26, 2008, a copy of Ordinance #8-08, which was introduced on March 19, 2008, amending Chapter 95, Section 36.
2. Petitions of Appeal filed with the Morris County Tax Board, as follows:

Block 10313, Lot 13, Erin Avenue, owner: U.S. Realty Financial Corp.
Block 6302, Lot 7, 8 Trent Court, owners: Daniel & Michaela Brownstein.
Block 7901, Lot 1, 18 Pippins Way, owners: Ellis & Joyce Hoch.
Block 09405-0000, Lot 00005, 4 Cromwell Drive, owners: Salvatore & Karen Toto.
Block 8908, Lot 19, 45 MacKenzie Road, owner: Harriet Stafford.
Block 207, Lot 12, 172 West Hanover Avenue, owner: Gregory Marks.
Block 10302, Lot 1-4, 245-251 E. Hanover Ave., owner: 245-251 East Hanover Ave. LLC.

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MATTERS RECEIVED FOR THE RECORD (CONTINUED)

3. Petitions of Appeal filed with the Tax Court of New Jersey, as follows:

Block 10104, Lot 1, 307 E. Hanover Avenue, owner: M.T. Associates/YSI, LLC.
Block 10312, Lot 1, 240 Martin Luther King Ave., owner: U.S. Realty Financial Corp.
Block 8104, Lot 23, 50 Canfield Road, owners: Thomas & Donna Pepe.

4. Landlord Registration Statement for 14 Mill Road, Block 110, Lot 10, owner: Sandra Zabenko.

* * *

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. Electronic waste collection successful.

MR. GRAYZEL

1. Congratulated the three newly promoted officers - very well qualified.
2. Recognition of the Police Department received re: gangs; commended the Police Department for their diligence;
3. Safe school - Police Department conducted lock down drill.
4. Kitchell Road speeders; Engineering to look into speed bump policy.
5. Trails Committee met - plan on Township web site.

MR. ROSENBUSH

1. Electronic collection was an overwhelming success.
2. Lost second home to fire on Brigade Hill; thanked surrounding towns for their assistance - need for hydrants - formal request should be made to water supplier - need for service for hydrants.

MR. WATSON

1. Electronic collection successful.
2. Walking in right-of-ways permissible.

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TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

1. PROCLAMATION - MYASTHENIA GRAVIS

WHEREAS, MYASTHENIA GRAVIS is a neuro-muscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans, and

WHEREAS, the symptoms of this disorder include, but are not limited to, difficulty moving, breathing, swallowing, speaking and seeing, and

WHEREAS, the Myasthenia Gravis Foundation of America, Inc. is a non-profit organization founded, "to facilitate the timely diagnosis and optimal care of individuals affected by myasthenia gravis and closely related disorders, and to improve their lives through programs of patient services, public information, medical research, professional education, advocacy, and patient care," and

WHEREAS, MYASTHENIA GRAVIS is the most common neuromuscular disorder affecting the residents of New Jersey, and

WHEREAS, it is fitting to recognize the many physicians who demonstrate an untiring effect to treat this disease and search for a cure.

NOW, THEREFORE, I, ROBERT E. NACE, MAYOR of the Township of Morris, Morris County, New Jersey, do hereby proclaim the month of

**JUNE 2008
AS
MYASTHENI GRAVIS AWARENESS MONTH.**

2. Reminder - sign up for 'Relay For Life' at Morristown High School.

* * *

CONSIDERATION OF MONTHLY REPORTS

On motion duly made, seconded and unanimously carried, the following internal operational monthly reports as indicated were received, approved (by the vote as hereinafter indicated) and placed on file in the Office of the Township Clerk, to be retained in accordance with the specific detail of the current record retention schedule promulgated by the New Jersey Bureau of Archives:

MARCH 2008
TAX COLLECTOR

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

* * *

**TOWNSHIP COMMITTEE MEETING
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APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #1 (MBA #1) dated April 16, 2008 \$8,876,285.09

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 \$8,876,285.09 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 11:04 P.M., the April 16, 2008 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 11:34 P.M. the April 16, 2008 recessed Regular Meeting was called to order and with no further business to be considered, on motion duly made, second and unanimously (5-0) adopted, the meeting was adjourned at 11:37 P.M., next to convene at the 8:00 P.M., May 21, 2008, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: MAY 5, 2008