

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, MARCH 1, 2006, 8:00 P.M.**

CALL TO ORDER

The March 1, 2006 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 Kathleen G. Hyland
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.

* * *

PLEASE NOTE: THE FULL TEXT OF ALL ORDINANCES ARE AVAILABLE IN THE
OFFICE OF THE TOWNSHIP CLERK

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 2**

**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 February 24, 2006 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:

JANUARY 4, 2006 - ORGANIZATION MEETING
JANUARY 18, 2006 - REGULAR MINUTES
JANUARY 18, 2006 - 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: MRS. HYLAND YES MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
MAYOR NACE YES

* * *

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 March 15, 2006 regular meeting at 8:00 P.M.:

ORDINANCE #4-06 - AMENDING CHAPTER 88, SECTION 3.2B(1) "FEES" SO AS TO PROVIDE FOR THE ESTABLISHMENT OF FEES PURSUANT TO RESOLUTION ADOPTED BY THE GOVERNING BODY OF THE TOWNSHIP OF MORRIS

ROLL CALL: MRS. HYLAND YES MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
MAYOR NACE YES

- - -

ORDINANCE #5-06 - ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 67 OF THE ORDINANCES OF THE TOWNSHIP OF MORRIS (MUNICIPAL POOL FEES)

ROLL CALL: MRS. HYLAND YES MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
MAYOR NACE YES

* * *

SUMMARY OF BIDS RECEIVED FEBRUARY 22 AND 24, 2006

Township Administrator, Fred J. Rossi, reported that on February 22 and 24, 2006, the Receipt of Public Bids Committee met at 10:00 A.M., in the Municipal Building, 50 Woodland Avenue, and received bids on the projects hereafter enumerated from the bidders and at the prices as indicated:

NAME OF PROJECT NAME/ADDRESS OF BIDDERS TOTAL BID PRICES

Submitted, read in full, and placed on file in the Office of the Municipal Clerk, are letters of recommendation from the Township Engineer dated February 26, 2006 for services (ENG-063-06 and March 1, 2006 for Cleveland Avenue (ENG-064-06 respectively).

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 4**

SUMMARY OF BIDS RECEIVED FEBRUARY 22 AND 24, 2006 (CONTINUED)

BID ITEM AWARDED TO TOTAL BID PRICES

OTE: 2006-1-1-
HVAC Services

Professional Climate
382 Valley Street
South Orange, NJ 07079

\$73.45/Hr. Monday to Friday
67.50/Hr. Helper " "
110.00/Hr. Nights/Saturdays
67.50/Hr. Helper "
110.00/Hr. Sundays/Holidays
67.50/Hr. Helper "

Cost of Parts per Suppliers Invoice Markup 15%

Able Mech Inc.
94 Railroad Ave.
Belford, NJ 07718

\$78.50/Hr. Monday to Friday
44.00/Hr. Helper " "
117.75/Hr. Nights/Saturdays
44.00/Hr. Helper "
150.00/Hr. Sundays/Holidays
44.00/Hr. Helper "

Cost of Parts per Suppliers Invoice Markup 50%

Pow/R/Save Inc.
27 West Street
Bloomfield, NJ 07003

\$71.50/Hr. Monday to Friday
41.50/Hr. Helper " "
107.25/Hr. Nights/Saturdays
41.50/Hr. Helper "
143.00/Hr. Sundays/Holidays
41.50/Hr. Helper "

Cost of Parts per Suppliers Invoice Markup 50%

Carrier Corporation
14-30 Madison Road
Fairfield, NJ 07004

\$85.00/Hr. Monday to Friday
0/Hr. Helper " "
127.50/Hr. Nights/Saturdays
0/Hr. Helper "
0/Hr. Helper "

Cost of Parts per Suppliers Invoice Markup 25%

Desesa Engineering Company
83 Dorsa Avenue
Livingston, NJ 07039

127.50/Hr. Sundays/Holidays
\$87.00/Hr. Monday to Friday
75.00/Hr. Helper " "
140.00/Hr. Nights/Saturdays
110.00/Hr. Helper "
180.00/Hr. Sundays/Holidays
150.00/Hr. Helper "

Cost of Parts per Suppliers Invoice Markup 24%

CentralPack Service Corporation
P.O. Box 359, 359 Greenpond Rd.
Hibernia, NJ 07842

\$76.00/Hr. Monday to Friday
0/Hr. Helper " "
114.75/Hr. Nights/Saturdays
0/Hr. Helper "
153.00/Hr. Sundays/Holidays
0/Hr. Helper "

Cost of Parts per Suppliers Invoice Markup 0%

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 5**

SUMMARY OF BIDS RECEIVED FEBRUARY 22 AND 24, 2006 (CONTINUED)

<u>BID ITEM</u>	<u>AWARDED TO</u>	<u>TOTAL BID PRICES</u>
OTE: 2006-1-3- Sludge Hauling to Passaic Valley	R & D Trucking 1874 Route 23 West Milford, N.J. 07480	.0251/gal. for Hauling PVSC
	Russell Reid Waste Hauling And Disposal Service Co., Inc. P.O. Box 130, 200 Smith Street Keasbey, NJ 08832	.0387/gal. for Hauling PVSC
	Applied Water Management 2 Clerico Lane, Suite #1 Hillsborough, NJ 08844	.0298/gal. for Hauling PVSC
	Accurate Waste Removal Services Inc. P.O. Box 90 Ironia, NJ 07845	.045/gal. for Hauling PVSC
OTE: 2006-1-4-Elec- trical Services	Technica, Inc. P.O. Box 437 Butler, N.J. 07405	\$62.89/Hr. 8AM-4:30PM Mon./Fri.
		25.156/Hr. " " " Helper
		94.335/Hr. Evenings/Sat.
		37.734/Hr. " " " Helper
		125.78/Hr. Sun./Holidays
		50.312Hr. " " Helper
	19.00/Hr. Use of Manlift Truck	
	Markup on parts from supplier's list	
Traffic Signal Repairs/ Maintenance	Morris County Cooperative Pricing (MCCPC) (Continue to use County)	
OTE: 2006-1-5- Plumbing Services	Paul F. Cullen, Inc. P.O. Box 61 Morris Plains, N.J. 07950	\$87.00/Hr. Monday/Friday
		-0/Hr. Helper Mon./Fri.
		130.50/Hr. Evenings/Saturdays/ -0/Hr. Helper " Sundays
	Parts from Supplier's Invoice 25% increase	
	Magic Touch Construction Co. Inc. 59 W. Front Street Keyport, N.J. 07735	\$115.50/Hr. Monday/Friday
		45.00/Hr. Helper Mon./Fri.
		173.25/Hr. Evenings/Saturdays/ 67.50/Hr. Helper " Sundays
		Parts from Supplier's Invoice 20% increase

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 6**

SUMMARY OF BIDS RECEIVED FEBRUARY 22 AND 24, 2006 (CONTINUED)

OTE: 2006-1-9- Janitorial Services	D&J Maintenance 26 Pleasant Avenue West Caldwell, NJ 07006	\$1,395/Mo. Municipal Bldg. 610/Mo. Police Headqtrs. 150/Mo. Fire Headqtrs. 275/Mo. Convent Train Station 165/Mo. Recreation Annex 125/Mo. Ginty Field Restrooms 125/Mo. Frelinghuysen Field Rest. 145/Mo. Collinsville Field Restrm. 0.14 S.F. Shampooing Carpets
	Andrews & Company, LLC P.O. Box 171, 46 Hampton House Rd. Newton, NJ 07860	\$1,680/Mo. Municipal Bldg. 1,100/Mo. Police Headqtrs. 175/Mo. Fire Headqtrs. 295/Mo. Convent Train Station 160/Mo. Recreation Annex 55/Mo. Ginty Field Restrooms 30/Mo. Frelinghuysen Field Rest. 60/Mo. Collinsville Field Restrm. 0.21 S.F. Shampooing Carpet
	Statewide Sanitation Services 86 Washington Street West Orange, NJ 07052	\$1,497/Mo. Municipal Bldg. 823/Mo. Police Headqtrs. 262/Mo. Fire Headqtrs. 305/Mo. Convent Train Station 256/Mo. Recreation Annex 145/Mo. Ginty Field Restrooms 150Mo. Frelinghuysen Field Rest. 220/Mo. Collinsville Field Restrm. 0.15 S.F. Shampooing Carpet
	Oriental Pacific Maintenance Co. Inc. 111 Charlotte Pl., Suite 202 Englewood Cliffs, NJ 07632	\$1,430/Mo. Municipal Bldg. 640/Mo. Police Headqtrs. 180/Mo. Fire Headqtrs. 260/Mo. Convent Train Station 190/Mo. Recreation Annex 124/Mo. Ginty Field Restrooms 140Mo. Frelinghuysen Field Rest. 146Mo. Collinsville Field Restrm. 0.12 S.F. Shampooing Carpet
	Urucorp Maintenance & Contractor Inc. 197 South Main Street Wharton, NJ 07885	\$1,500/Mo. Municipal Bldg. 1,040/Mo. Police Headqtrs. 522/Mo. Fire Headqtrs. 600/Mo. Convent Train Station 390/Mo. Recreation Annex 104/Mo. Ginty Field Restrooms 52/Mo. Frelinghuysen Field Rest. 52/Mo. Collinsville Field Restrm.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 7**

SUMMARY OF BIDS RECEIVED FEBRUARY 22 AND 24, 2006 (CONTINUED)

OTE: 2005-13- Cleveland Ave. Improvements Project	Jenicar Builders Contractors 573 Belgrove Drive Kearny, NJ 07032	\$310,988.50
	Cifelli & Son 4 Coppola Street Nutley, NJ 07110	\$317,848.50
	Tomaro Contracting 195 Green Pond Road Rockaway, NJ 07869	\$318,000.00
	Rockborn Trucking & Excav. 210 W. Blackwell Street Dover, NJ 07801	\$354,290.50
	Al Neto Contractors 1004 Severin Drive Bridgewater, NJ 08807	\$373,430.85
	Topline Construction 22 Fifth Street Somerville, NJ 08876	\$432,810.75
	Marvec Construction Box 216, 251 1.2 Grove Ave. Verona, NJ 07044	\$435,730.30
	Intercounty Paving 859 Willow Grove Street Hackettstown, NJ 07840	\$477,174.00
	Assuncao Brothers, Inc. 29 Wood Avenue Edison, NJ 08820	\$576,254.33

On motion duly made, seconded and unanimously carried (4-0-1-1 - Mr. Wotowicz absent) authorization was given for the award of the bids as recommended by the Township Engineer as specified in the appropriate resolutions set forth hereinafter.

* * *

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:

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 8**

RESOLUTIONS (CONTINUED)

AUTHORIZING SIGNATURE OF INTERLOCAL SERVICES AGREEMENTS FOR UTILIZATION OF THE SHERIFF'S MOBILE DATA TERMINAL SYSTEM AND RADIO TOWER SITES

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et. seq., provides that local government units may contract with one another for the joint provisions of services; and

WHEREAS, the County of Morris has agreed to make available to the Township of Morris the Sheriff Department's Mobile Data Terminal System and to install radio equipment at the County's Radio Tower Sites at a cost of \$1.00.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor and Township Clerk are hereby authorized to enter into certain contracts for calendar year 2006 for the above described purposes.

BE IT FURTHER RESOLVED that a copy of said contracts shall be maintained on file in the Office of the Township Clerk and open to public inspection in accordance with statute.

ROLL CALL: MRS. HYLAND YES MR. WATSON YES
 MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
 MAYOR NACE YES

- - -

AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO ENTER INTO LEASE AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS – HONEYWELL CHILD DEVELOPMENT CENTER

BE IT HEREBY RESOLVED that the Mayor and Township Clerk of the Township of Morris be and they are hereby authorized to enter into an Agreement with Honeywell Child Development Center for the use of Morris Township Swimming Pools for the year 2006, and that the agreement shall be maintained on file in the Office of the Municipal Clerk for public inspection.

ROLL CALL: MRS. HYLAND YES MR. WATSON YES
 MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
 MAYOR NACE YES

- - -

RESOLUTION FOR EMERGENCY TEMPORARY APPROPRIATION FOR GENERAL OPERATING PURPOSES

WHEREAS, an emergent condition has arisen with respect to General Operating Purposes, Sewer Operating Purposes, Swimming Pool Operating Purposes, and Parking Enterprise Purposes and adequate provisions were not anticipated for in the 2006 temporary appropriations for the aforesaid purposes, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 9**

RESOLUTIONS (CONTINUED)

RESOLUTION FOR EMERGENCY TEMPORARY APPROPRIATION FOR GENERAL OPERATING PURPOSES (CONTINUED)

WHEREAS, the total emergency temporary resolution adopted in the year 2006 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$27,341,991.30.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.40A:4-20:

1. An emergency temporary appropriation budget be and the same is hereby made for all appropriations in the amount of \$27,341,991.30.
2. That said emergency temporary appropriation will be provided for in the 2006 budget.
3. That one certified copy of this resolution will be filed with the Director of the Division of Local Government Services.

ROLL CALL: MRS. HYLAND YES MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
MAYOR NACE YES

- - -

AGREEMENT FOR THE PROVISION OF RECYCLING SERVICES – THE FIRST OCCUPATIONAL CENTER OF NEW JERSEY INC., 391 LAKESIDE AVENUE, ORANGE, NJ 07050 – NTE \$43,632

WHEREAS, the Township of Morris has a need to acquire services of a contractor to supply labor for the purpose of collecting grass clippings and brush as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, these services are except from 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 for six months; and

WHEREAS, The First Occupational Center of New Jersey Inc. has submitted a proposal dated February 10, 2006 indicating they will provide the labor services for \$43,632; and

WHEREAS, The First Occupational Center of New Jersey Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that The First Occupational Center of New Jersey Inc. has not made any reportable contributions to a political or candidate committee in the Township Morris in the previous one year, and that the contract will prohibit The First Occupational Center of New Jersey Inc. from making any reportable contributions through the term of the contract; and

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 11**

RESOLUTIONS (CONTINUED)

**AUTHORIZING AWARD OF CONTRACT FOR SUPPLYING SERVICES FOR YEAR 2006
AWARDED AS LISTED HEREUNDER**

<u>BID ITEM</u>	<u>AWARDED TO</u>	<u>TOTAL BID PRICES</u>
OTE: 2006-1-4-Elec- trical Services	Technica, Inc. P.O. Box 437 Butler, N.J. 07405	\$62.89/Hr. 8AM-4:30PM Mon./Fri. 25.156/Hr. " " " Helper 94.335/Hr. Evenings/Sat. 37.734/Hr. " " " Helper 125.78/Hr. Sun./Holidays 50.312Hr. " " Helper 19.00/Hr. Use of Manlift Truck Markup on parts from supplier's list
Traffic Signal Repairs/ Maintenance	Morris County Cooperative Pricing (MCCPC) (Continue to use County)	
OTE: 2006-1-5- Plumbing Services	Paul F. Cullen, Inc. P. O. Box 61 Morris Plains, N.J. 07950	\$87.00/Hr. Monday/Friday -0/Hr. Helper Mon./Fri. 130.50/Hr. Evenings/Saturdays/ -0/Hr. Helper " Sundays Parts from Supplier's Invoice 25% increase
OTE: 2006-1-9- Janitorial Services	D&J Maintenance 26 Pleasant Avenue West Caldwell, NJ 07006	\$1,395/Mo. Municipal Bldg. 610/Mo. Police Headqtrs. 150/Mo. Fire Headqtrs. 275/Mo. Convent Train Station 165/Mo. Recreation Annex 125/Mo. Ginty Field Restrooms 125/Mo. Frelinghuysen Field Rest. 145/Mo. Collinsville Field Restrm. 0.14 S.F. Shampooing Carpets

WHEREAS, a Certificate showing Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer of this Township, certifying that the funds for said contracts are available in the following line item appropriation, resolution or ordinance:

CURRENT, SEWER, SWIMMING POOL, PARKING, SEWER O/E, TRUST ACCOUNTS

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 contracts for the above-entitled matters be and the same are hereby awarded in the sums as hereinbefore listed and the Mayor and Clerk of this Township be and are hereby authorized and directed to execute the contracts and or other necessary documents in order to effectuate the purpose of this resolution.
2. That the Certificates of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to the original copy of this resolution and kept on file in the Office of the Municipal Clerk.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 12**

RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF CONTRACT FOR SUPPLYING SERVICES FOR YEAR 2006
AWARDED AS LISTED HEREUNDER (CONTINUED)

ROLL CALL: MRS. HYLAND YES MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
MAYOR NACE YES

- - -

AUTHORIZING AWARD OF CONTRACT FOR BID OTE: 2005-13 CLEVELAND AVENUE
IMPROVEMENTS PROJECT - AWARDED THROUGH A FAIR AND OPEN PROCESS -
AWARDED TO JENICAR BUILDERS CONTRACTORS CO., INC., 573 BELGROVE DRIVE,
KEARNY, NJ 07032 IN THE AMOUNT NOT TO EXCEED \$310,988.50

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following: CLEVELAND AVENUE IMPROVEMENTS PROJECT.

WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to the lowest responsible bidder: Jenicar Builders Contractors Co., Inc., 573 Belgrove Drive, Kearny, NJ 07032.

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 ordinances:

GENERAL CAPITAL ORDINANCE #11-05 & SEWER CAPITAL ORDINANCE #12-05.

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 Jenicar Builders Contractors, 573 Belgrove Drive, Kearny, NJ 07032 in an amount not to exceed \$310,988.50.
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.

ROLL CALL: MRS. HYLAND YES MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
MAYOR NACE YES

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 13**

RESOLUTIONS (CONTINUED)

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-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: MRS. HYLAND YES MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
MAYOR NACE YES

- - -

MILLS & MILLS P.C.
One Western Avenue
Morristown, NJ 07960
Phone: (973) 538-0950
Attorney for the Township of Morris

RESOLUTION

In the Matter of Just Around the Corner
Distribution License No: 1422-44-001-005

ORDER OF SUSPENSION

This matter coming on to be heard before the Township Committee of the Township of Morris in the presence of Iacofano, Fiamingo and Perrone (John Iacofano appearing, on behalf of the Township of Morris) and Diana Ritchie appearing on behalf of the licensee and the Township Committee having heard the testimony and proofs and it appearing that there was a violation of N.J.A.C. 13:2-23.1B in that the licensee did sell certain alcoholic beverages to a "person actually or apparently intoxicated"; and,

WHEREAS, it further appearing that there are mitigating factors as testified to by Ms. Ritchie with respect to the "apparentness" of the level of intoxication of the affected individual.

NOW, THEREFORE, it is on this 1st day of March, 2006 ORDERED that the licensee's privileges to operate pursuant to the above referenced license shall be suspended and in fact, the license shall be suspended for a period of four (4) days commencing April 3rd 2006 and running through the close of business on April 6th 2006.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 14**

RESOLUTIONS (CONTINUED)

<u>RESOLUTION</u> In the Matter of Just Around the Corner Distribution License No: 1422-44-001-005	<u>ORDER OF SUSPENSION</u>
--	-----------------------------------

ROLL CALL: MRS. HYLAND YES MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
MAYOR NACE YES

- - -

RE: APPOINTING JOHN STOREY TO THE OPEN SPACE COMMITTEE

BE IT HEREBY RESOLVED that John Storey be and he is hereby appointed to the position of regular member of the Open Space Committee of the Township of Morris for an initial term of office to expire on December 31, 2008.

ROLL CALL: MRS. HYLAND YES MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
MAYOR NACE YES

* * *

ABC VIOLATION HEARING - JUST AROUND THE CORNER

Present were John Iacofano, Esq., Attorney for the Township, Police Chief Michael Loughman, Detective Sgt. Thomas Manning and Mrs. Diana Ritchie.

Incident occurred November 11, 2005; owner Diana Ritchie pleaded 'Not Guilty' to serving Orlando Mendia who was under the influence of 1.99% blood alcohol, who after leaving the establishment was struck by a motor vehicle. Ptl. Sklavounos investigated the incident, along with Detective Sgt. Manning.

Mrs. Ritchie, in closing, stated that Mr. Mendia did not appear to be intoxicated and objected to the statement that 'it was apparent to anyone' which was told by onlookers that Mr. Medina stepped in front of the car.

Mr. Iacofano summarized the charges. The Township Committee found Mrs. Ritchie guilty and ordered a 4-day suspension commencing April 3, 2006 and running through the close of business on April 6, 2006. A resolution 'ORDER OF SUSPENSION' will be adopted this date.

* * *

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:

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 15**

PUBLIC COMMENT/INQUIRY (CONTINUED)

Mr. Thomas Schell, 62 Old Glen Road, traffic on the road.

Mr. Mark George, 43 Fanok Road, traffic signal at Madison and Normandy length.

Mr. Ronald Goldberg, 4 1/2 Hilltop Circle, inquired what the Cleveland Avenue Improvement project was for. Mr. Rossi advised it was funded by a block grant fund.

* * *

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 the Morris County Golf Club to hold a fireworks display on their property at 36 Punch Bowl Road on July 2, 2006, subject to approval of the Police and Fire Chiefs, and the filing of a Certificate of Insurance, with a Hold Harmless Clause, at least one week before the event.
2. Granted permission to St. Virgil Church to hold their annual Carnival on May 10 thru May 13, 2006, subject to approval of the Police and Fire Chiefs, and the filing of a Certificate of Insurance, with a Hold Harmless Clause, at least one week before the event.
3. Granted municipal consent to the Saint Patrick's Day Parade of Morris County, Inc. Finance Committee to hang banners across Woodland and Sussex Avenues from March 1 through March 11, 2006, subject to approval of the Police Chief and Superintendent of Roads and Sanitation, and the filing of a Certificate of Insurance, with a Hold Harmless Clause, at least one week before the event.
4. Grant permission to the Morris County Park Commission to erect a 40' x 60' tent for their Annual Plant Sale to be held on May 5 and 6, 2006; the tent will be erected on May 1 and taken down on May 7 or 8, 2006, subject to approval of the Police and Fire Chiefs, and Construction Code Official, and the filing of a Certificate of Insurance, with a Hold Harmless Clause, at least one week before the event.
5. Granted permission to the College of Saint Elizabeth, Center for Theological & Spiritual Development, to use the municipal parking facility located at the St. Thomas More Church on Saturday, April 1, 2006 from 7:30 A.M. to 5:30 P.M., subject to the filing of a Certificate of Insurance, with a Hold Harmless Clause, at least one week before the event.
6. Approved the following Games of Chance applications, subject to the filing of requisite Reports of Raffles Operation concerning previously held games of change, subject to the Provisions of Chapter 63 of the Public Laws of 1994, including the payment of requisite Supplemental fees, and authorized the issuance of the related license:

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 16**

CONSENT CALENDAR (CONTINUED)

6. (CONTINUED)

RA-1935 - St. Virgil Church - 50/50 On-Premise Raffle - May 10, 11, 12, 2006 - 6-10 P.M.;
May 13, 2006 - 4-10 P.M. - 250 Speedwell Avenue.

RA-1936 - St. Virgil Church - On-Premise (Wheels) Raffle - May 10, 11, 12, 2006 - 6-10 P.M.;
May 13, 2006 - 4-10 P.M. - 250 Speedwell Avenue.

RA-1937 - HAS Frelinghuysen Middle School - On-Premise Raffle - March 24, 2006 - 6-9
P.M. - Frelinghuysen School, West Hanover Avenue.

ROLL CALL: MRS. HYLAND YES MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT
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. Civil Action Complaint to Review 2006 Real Property Tax Assessment filed with the Tax Court of New Jersey for Block 9101, Lot 4, 101 Columbia Road, Honeywell International, Inc
2. Civil Action Complaint to Review 2006 Real Property Tax Assessment filed with the Tax Court of New Jersey for Block 6101, Lot 1, 412 Mt. Kemble Avenue, Kemble Plaza II Realty, LLC.

* * *

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:

MRS. HYLAND

1. St. Patrick's Day is a week from Saturday. Jan Wotowicz is doing better.

MR. ROSENBUSH

1. Friday night is parade chairman dinner.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 17**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. WATSON

1. County budget presentation next Wednesday.

MR. WOTOWICZ

ABSENT

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

1. PROCLAMATION - MAY 31, 2006 - CRISTINA M. TOLENTINO DAY

WHEREAS, the formation of CRISTINA'S WINGS, The Cristina M. Tolentino Trust Foundation was inspired by Cristina M. Tolentino, who passed away from Adenoid Cystic Carcinoma, and

WHEREAS, Cristina came to this country almost 25 years ago. Having an Associate Degree in Secretarial Science, Cristina secured a job as Executive Secretary to the Vice President at Foster Wheeler in Livingston. Being self taught on computers and programming, she went to work at Prudential Insurance Information Technology Project Manager until 1997 when she was taken ill and retired and placed her focused on religion, and

WHEREAS, Cristina taught Sunday School at Bethel Assembly of God Church and at the Assumption Catholic Church in Morristown until her equilibrium and speech were affected by her disease. She continued being a teacher to her nephews, nieces and friends and family on being good citizens and productive members of society, and

WHEREAS, CRISTINA'S WINDS mission is to provide scholarship awards and grants to deserving Morris County high school students. Initial gifts will be distributed within Morris County, and with support, this foundation will expand its horizons and open its wings to the State of New Jersey, and

WHEREAS, another mission of "Cristina's Wings - Help Fight Cancer" Foundation, is to provide financial grants to research centers and hospitals to find a cure for this deadly disease.

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

MAY 31, 2006

CRISTINA M. TOLENTINO DAY

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 18**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE (CONTINUED)

2. PROCLAMATION - "ORGAN AND TISSUE DONOR AWARENESS MONTH" - APRIL 2006

WHEREAS, Overlook Hospital's Auxiliary established an Organ and Tissue Donor Awareness Committee in May 1995 whose goal is to make the public aware of organ and tissue donor needs and programs, and

WHEREAS, in the United States there are 91,000 people waiting for organs (liver, heart, kidney, lungs, pancreas) about 2,900 of whom are from New Jersey, and

WHEREAS, approximately 17 people die daily waiting for organs – the Gift of Life, and

WHEREAS,, those needing tissues (bones, ligaments, heart valves, corneas, skin) are waiting to improve their quality of life.

NOW, THEREFORE, I, Robert E. Nace, Mayor of the Township of Morris, do hereby proclaim the month of April 2006 as:

"ORGAN AND TISSUE DONOR AWARENESS MONTH"

in the Township of Morris and encourage the citizens of the Township of Morris to sign donor cards witnessed by two persons, preferably next of kin and, because a donor card becomes a legal document, citizens are asked to share that decision with their families.

- - -

3. Welcome home troops at the Morristown Armory between March 13-24, 2006.

* * *

CONSIDERATION OF MONTHLY REPORTS

NONE

* * *

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

The Governing Body recessed at 9:48 P.M., the March 1, 2006 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 1, 2006 PAGE 19**

CALL TO ORDER AND ADJOURNMENT

At 10:15 P.M. the March 1, 2006 recessed Regular Meeting was called to order and a resolution entitled "RE: APPOINTING JOHN STOREY TO THE OPEN SPACE COMMITTEE" was adopted, thereafter with no further business to be considered, on motion duly made, seconded and unanimously (4-0-0-1- Mr. Wotowicz absent) adopted, the meeting was adjourned at 10:28 P.M., next to convene at the 8:00 P.M., March 15, 2006, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: MARCH 24, 2006