

**MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, APRIL 5, 2006, 8:00 P.M.**

**CALL TO ORDER**

The April 5, 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  
Township Committee Member Jan Wotowicz

**APPOINTED OFFICERS**

Cathleen Amelio, Township Clerk  
John M. Mills, III, Township Attorney  
Karen Carman, Administrative Assistant

\* \* \*

**PLEDGE OF ALLEGIANCE**

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

\* \* \*

NOTE: ORDINANCES CAN BE OBTAINED AT THE CLERK'S OFFICE

**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 March 31, 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:

MARCH 1, 2006 - REGULAR MINUTES  
MARCH 1, 2006 - CLOSED MINUTES  
MARCH 15, 2006 - REGULAR MINUTES  
MARCH 15, 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   YES  
                                  MAYOR NACE    YES

\* \* \*

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**PRESENTATION BY DAVE HELMER, MORRIS COUNTY PARK COMMISSION  
ON PLANS FOR GREYSTONE PARK**

David Helmer, Executive Director of the Morris County Park Commission presented plans for Greystone Park. Five municipalities touch Greystone. Phase I, Central Avenue will begin in May according to County Engineer, Steve Hammond. The property is 303.96 acres and will be used for recreational, non-profit agencies, Central Park style. Mr. Hammond summarized the existing structures and their future. Phase I - baseball field, Miracle Field League (handicapped friendly), rest rooms, 4 roller hockey rinks (2 adult, 2 child size); multi-uses, ice skating, dog parks.

\* \* \*

**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 #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

PUBLIC COMMENT  
NONE

COMMUNICATIONS OF RECORD  
NONE

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

- - -

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

PUBLIC COMMENT  
NONE

COMMUNICATIONS OF RECORD  
NONE

ROLL CALL: MRS. HYLAND YES MR. WATSON YES  
MR. ROSENBUSH YES MR. WOTOWICZ 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 April 19, 2006 regular meeting at 8:00 P.M. for Ordinances #6-06, #7-07 and #8-06; and May 17, 2006 for Ordinances #9-06 and #10-06.

**ORDINANCE #6-06** - "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$3,152,200 THEREFOR, INCLUDING \$150,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF \$2,852,090 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" SUPPLEMENTAL DEBT STATEMENT - MBA #1

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

- - -

**ORDINANCE #7-08** - "BOND ORDINANCE PROVIDING FOR VARIOUS SEWER IMPROVEMENTS IN AND BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$597,700 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$567,815 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" SUPPLEMENTAL DEBT STATEMENT - MBA #2

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

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**ORDINANCE #8-06** - "BOND ORDINANCE PROVIDING FOR THE IMPROVEMENTS TO VARIOUS PARKING LOTS IN AND BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$297,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$282,150 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" SUPPLEMENTAL DEBT STATEMENT - MBA #3

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

- - -

**ORDINANCE #9-06** - "AMENDING CHAPTER 95, SECTION 27 REGARDING PERMITTED USES IN THE OSGU ZONE"

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

- - -

**TOWNSHIP COMMITTEE MEETING  
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**ORDINANCES - INTRODUCTION**

**ORDINANCE #10-06** - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

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

\* \* \*

**INTRODUCTION OF 2006 MUNICIPAL BUDGET**

After commentary by Mayor Robert E. Nace, the Governing Body announced that the public would be afforded an additional opportunity for comment at the May 17, 2006 regular meeting.

On resolution duly offered, seconded and adopted by the vote as recorded herein the 2006 Municipal Budget, included as part of the official minutes of this meeting for purposes of record continuity, as a numbered minute book attachment (#4) dated April 5, 2006, was introduced and approved on first reading with a public hearing and final consideration scheduled for a meeting to be held on May 17, 2006 at 8:00 P.M., in the Municipal Building, 50 Woodland Avenue, with legal advertisement scheduled for April 27, 2006 in the Morris News Bee. MINUTE BOOK ATTACHMENT NO. 4 (MBA #4) dated April 5, 2006.

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

**AUTHORIZING THE TOWNSHIP OF MORRIS TO ENTER A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF MORRIS FOR ACCESS TO THE MORRIS COUNTY INTEGRATED JUSTICE INFORMATION SYSTEM (MCIJIS)**

BE IT RESOLVED, the Township Committee of the Township of Morris authorizes the Chief of Police to enter into a Memorandum of Understanding, date revised March 17, 2006, with the County of Morris for access to the Morris County Integrated Justice Information System (MCIJIS) at no cost to the Township.

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

- - -

**TOWNSHIP COMMITTEE MEETING  
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RE: AUTHORIZATION FOR TONNAGE GRANTS - MANDATORY SOURCE SEPARATION  
AND RECYCLING ACT

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs, and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs, and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act, and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality, and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations, and

WHEREAS, such a resolution should designate the individuals authorized to ensure that the application is properly completed and time filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, that the Township of Morris hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protect, Office of Recycling and designates Joseph Giordano, Superintendent, Roads & Sanitation, 50 Woodland Avenue, Convent Station, New Jersey 07961, to ensure that the said application is properly filed.

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**RESOLUTIONS (CONTINUED)**

**RE: AUTHORIZATION FOR TONNAGE GRANTS - MANDATORY SOURCE SEPARATION  
AND RECYCLING ACT (CONTINUED)**

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

- - -

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

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

1. The fees to be charged for the use of police vehicles when furnished for third party private duty shall be at the rate of \$10.00 per hour with a minimum charge of \$40.00.
2. The private duty fees to be paid to the Township of Morris for the services of police officers of the Township of Morris shall be the sum of \$61.00 per hour. Said fees shall be allocated between the Township of Morris and the officer as follows:

Paid to the officer	\$55.00 per hour
Retained by the Township	6.00 per hour.
3. The assignment for Morristown Memorial Hospital shall be the same rate as charged by the Morristown Police Department, currently \$56.00 per hour. The patrolman's rate shall be \$50.00 per hour and the Township's share \$6.00 per hour.
4. This rate schedule shall be adjusted annually depending on the increase in the top patrolman's salary x 1.5.
5. The rate under expired contracts shall be raised 3.5% annually and adjusted once the contract amount is agreed to, but not retroactively.

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

- - -

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**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF PROFESSIONAL SERVICES FOR ENGINEERING AND SURVEYING SERVICES - SCHOMMER ENGINEERING, INC., 13 MT. KEMBLE AVENUE, MORRISTOWN, NJ 07960 FOR SPRING BROOK ROAD PHASE 1, IN THE AMOUNT NOT TO EXCEED \$40,300

WHEREAS, THE Township of Morris has need for professional engineering and surveying services for the Spring Brook Road Improvements Project, Phase 1, and

WHEREAS, Schommer Engineering, Inc. is a professional engineering firm having engineering personnel staff licensed in the State of New Jersey, and

WHEREAS, N.J.S.A. 40A:11-1 et seq. authorized professional services contracts without public advertising for bids therefore provided the subject matter of the contract is a professional service, and

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

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

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

1. The Mayor and Township Clerk are authorized to enter into an agreement to engage Schommer Engineering, Inc., 13 Mt. Kemble Avenue, Morristown, NJ 07960 for professional engineering and surveying services, in accordance with their proposal in the amount of \$40,300.
2. An official notice of this action shall be published in accordance with the law.

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

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RE: AUTHORIZING SETTLEMENT OF VARIOUS PENDING MATTERS INVOLVING LIQUOR LICENSE NUMBER 1422-33-002-008 ISSUED BY THE TOWNSHIP OF MORRIS

WHEREAS, there is pending, before the Office of Administrative Law a certain matter captioned 4 John Street Corp. t/a Double D's vs. Governing Body of the Township of Morris, OAL Docket Number: ABC AM 05329-2004N; and,

WHEREAS, the licensee has made an offer of settlement to the Township Committee of the Township of Morris involving said pending charge; and,

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**RESOLUTIONS (CONTINUED)**

RE: AUTHORIZING SETTLEMENT OF VARIOUS PENDING MATTERS INVOLVING LIQUOR LICENSE NUMBER 1422-33-002-008 ISSUED BY THE TOWNSHIP OF MORRIS (CONTINUED)

WHEREAS, said offer of resolution is further embodied in an order captioned "Final Conclusion and Order Accepting Settlement as Consented to by Parties"; and,

WHEREAS, the Township Committee of the Township of Morris believes that it is in the best interest of the citizens of the Township of Morris to authorize resolution of the pending legal action as memorialized in the Consent Order.

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

- 1) The Township Committee of the Township of Morris does hereby accept and consent to the resolution of this matter as memorialized in the Consent Order.
- 2) The Township Committee does hereby authorize the execution and filing of the Consent Order by the Township attorney on behalf of the Township of Morris.

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

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RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS IN SUPPORT OF THE WESTERN AVENUE RESERVOIR PROJECT APPLICATION TO THE ASSOCIATION OF NEW JERSEY ENVIRONMENTAL COMMISSIONS (ANJEC) REQUESTING 2006 SMART GROWTH PLANNING GRANT FUNDING

WHEREAS, Western Avenue Reservoir (a.k.a. Jockey Hollow Reservoir) was constructed in the early 1900s as part of the Southeast Morris County Utility Authority water supply system; and

WHEREAS, as best as can be established, the reservoir's dam was breached in the early 1990's and the reservoir emptied; and

WHEREAS, since that time the reservoir basin has become progressively colonized by Phragmites and other invasive plant species to the point that it exists today as a largely dysfunctional wetland system; and

WHEREAS, this application is to request needed funding in the amount of \$11,200.00 for plans, specifications and permit application materials required to convert the remnants of the reservoir into a created wetland-type regional storm water management system reducing the amount of flooding that occurs in both Morristown and Morris Township as well as stabilization of the presently severely eroded stream channel, improving water quality in the watershed restoration of the ecological functionality of the reservoir basin and downstream environs.

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**RESOLUTIONS (CONTINUED)**

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS IN SUPPORT OF THE WESTERN AVENUE RESERVOIR PROJECT APPLICATION TO THE ASSOCIATION OF NEW JERSEY ENVIRONMENTAL COMMISSIONS (ANJEC) REQUESTING 2006 SMART GROWTH PLANNING GRANT FUNDING (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, in the County of Morris, New Jersey, hereby supports the aforementioned grant application to ANJEC in the amount requested.

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

- - -

AUTHORIZING THE PURCHASE OF A 10 PRINT LIVE SCAN SYSTEM (DIGITIZED FINGERPRINT SYSTEM) AND CABINET FOR USE BY THE POLICE DEPARTMENT FROM SAGEM MORPHO INC., 3 WASHINGTON SQUARE, ALBANY, NEW YORK - NTE \$25,405

WHEREAS, the Township of Morris wishes to purchase a 10 Print Live Scan System (digitized fingerprint system) and cabinet for use by the Police Department, and

WHEREAS, the above item is available through State Contract #A50329 from Sagem Morpho, Inc., 3 Washington Square, Albany, New York, and

WHEREAS, the Director Finance has certified that funds are available in Capital Ordinance, Line Number G-04-55-511-043.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, Township of Morris, State of New Jersey, that a contract be awarded to Sagem Morpho Inc., 3 Washington Square, Albany, New York for the purchase of a 10 Print Live Scan System in the amount not to exceed \$25,405.

ROLL CALL: MRS. HYLAND YES MR. WATSON YES  
MR. ROSENBUSH YES MR. WOTOWICZ 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".



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**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF A PROFESSIONAL ENGINEERING SERVICE CONTRACT TO SWM CONSULTING, 1108 OLD YORK ROAD, P.O. BOX 727, RINGOES, NJ 08551 FOR WATNONG BROOK FLOOD MITIGATION STUDY - NTE \$10,000 (CONTINUED)

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

- - -

RE: REVOKING BID PREVIOUSLY AWARDED - RESOLUTION OF FINDINGS AND DETERMINATION

WHEREAS, the Township Committee of the Township of Morris did at its meeting of March 15<sup>th</sup> 2006 award a bid to Reynwood Communications for VoIP communication system; and

WHEREAS, a protest was lodged by another bidder; and

WHEREAS, the Township has reviewed the bids submitted the protest and a counter-protest; and

WHEREAS, the Township believes it to be in the best interest of all parties that the bid previously awarded be revoked, that all bids be rejected in total and revised specifications prepared.

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

- (1) The acceptance of the bid of Reynwood Communications previously awarded is hereby revoked.
- (2) All bids are rejected.
- (3) The Township Committee directs that the appropriate employees redraft the specifications in a fashion to avoid any ambiguities in the bid and re-advertise the same.

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

- - -

RESOLUTION ADOPTING 2006 MUNICIPAL BUDGET

"BE IT RESOLVED by the Township Committee of the Township of Morris, County of Morris, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$19,648,309.84 for municipal purposes"

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**RESOLUTIONS (CONTINUED)**

**RESOLUTION ADOPTING 2006 MUNICIPAL BUDGET (CONTINUED)**

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

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**AUTHORIZING SETTLEMENT OF MORRISTOWN PARK ASSOCIATES VS. TOWNSHIP OF MORRIS, BLOCK 8601/LOT 3**

WHEREAS, the Township Assessor, tax appeal expert and consulting tax attorney have recommended that the Township Committee of the Township of Morris enter into a settlement for the above-referenced case for the years 2004, 2005, and 2006.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Township's consulting tax attorney is authorized to execute a Stipulation of Settlement with the taxpayer as follows:

1. Block 8601, Lot 3 – The assessment will be reduced from \$2,550,000 to \$2,400,000 for the 2004 tax year, to \$2,100,000 for the 2005 tax year, and to \$2,100,000 for the 2006 tax year.

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

- - -

**AUTHORIZING SETTLEMENT OF GOVERNOR MORRIS HOTEL VS. TOWNSHIP OF MORRIS, BLOCK 10001/LOT 6**

WHEREAS, the Township Assessor, tax appeal expert and consulting tax attorney have recommended that the Township Committee of the Township of Morris enter into a settlement for the above-referenced case for the year 2003.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Township's consulting tax attorney is authorized to execute a Stipulation of Settlement with the taxpayer as follows:

1. Block 10001, Lot 6 – The assessment will be reduced from \$19,212,600 to \$11,750,000 for the 2003 tax year.

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

- - -

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**RESOLUTIONS (CONTINUED)**

RE: AUTHORIZING PAYMENT - RESOLUTION OF FINDINGS AND DETERMINATION

BE IT HEREBY RESOLVED that for reasons discussed more particularly in closed session, the governing body does hereby authorize payment of the sum of \$5,000.00 to Steven S. Weinstein, Esq. in connection with the matter captioned Aperuta vs. Pirrillo, et als, docket number: A-1751-04 T2.

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

- - -

RE: AUTHORIZING SIGNING OF CONSENT ORDER RE: DOUBLE D'S. OAL DOCKET  
NUMBER: ABC AM 05329-2004N - RESOLUTION OF FINDINGS AND DETERMINATION

BE IT HEREBY RESOLVED that the Township attorney is hereby authorized to execute a Consent Order, the form and substance of which has been previously approved by this governing body with respect to the above referenced docket number.

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

- - -

RE: APPOINTING THOMAS J. LUBY AS ALTERNATE #1 MEMBER OF THE TOWNSHIP OF  
MORRIS BOARD OF ADJUSTMENT - RESOLUTION OF FINDINGS AND DETERMINATION

BE IT HEREBY RESOLVED that Thomas J. Luby, 8 Stonehenge Road, Morristown, NJ 07960 be and he is hereby appointed as Alternate #1 Member of the Board of Adjustment of the Township of Morris, for a term of office to expire December 31, 2007.

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

\* \* \*

**PUBLIC COMMENT/INQUIRY**

NONE

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**TOWNSHIP COMMITTEE MEETING  
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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 the Women's Association of Morristown Memorial Hospital to hold the 'Mansion in May' to be held during the month of May at the Ross Family Farm on North Maple Avenue in Basking Ridge, and in conjunction with this fundraiser, to hang banners to advertise the event from May 1 through May 31, 2006 at locations approved by the Superintendent of Department of Public Works. Also in connection with the fundraiser, to place signs on roads within the Township, real-estate style signs 20" x 28" on designated roadsides, i.e., Harter Road and Route 202; Harter Road and James Street; Normandy Parkway and Columbia Turnpike; and West Hanover and Ketch Road (Koch Road), subject to approval of the Police Department, Department of Public Works Construction Code Official (temporary sign Ordinance #95-44H) and the filing of a Certificate of Insurance with a Hold Harmless Clause at least one week prior to the event.
2. Granted permission to The Seeing Eye to hold a staff picnic on June 23, 2006 and to erect a tent (40 x 40) for seating purposes only, on June 21 or 22, 2006 and take down dates June 24 or 25, 2006, depending on weather conditions, subject to approval of the Construction Code Official and Fire Chief, and filing of a Certificate of Insurance with a Hold Harmless Clause at least one week prior to the event.
3. Granted municipal consent to the Township of Livingston to use the Township Municipal Parking lot to 50 Woodland Avenue for the annual Road Rally on April 30, 2006 from 11 A.M. to 3:30 P.M., subject to approval of the Police Chief and the filing of a Certificate of Insurance with a Hold Harmless Clause at least one week prior to the event.
4. Granted municipal consent to the Morris Minute Men First Aid Squad to hold an event on their front lawn at 97 Mill Road on May 20, 2006 to celebrate EMS Week (May 14-20, 2006), and in connection therewith, approved the erection of banners from May 1 to May 22, 2006 at locations (one erected on Mill Road) approved by the Superintendent of Department of Public Works, to promote recruiting, subject to the approval of the Police and Fire Chiefs, Health Administrator and Department of Public Works Superintendent.
5. Approved the following Games of Chance applications, subject to the filing of requisite reports of Raffles Operation concerning previously held games of chance, 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:

RA-1939 - HSA Alfred Vail School - On-Premise Raffle - June 7, 2006 - Alfred Vail School, Speedwell Avenue.

RA-1940 - Daytop Family/Friends Association - On-Premise Raffle - September 18, 2006 12-7 P.M. - Spring Brook Country Club, 9 Springbrook Road.

RA-1941 - Daytop Family/Friends Association - 50/50 On-Premise Raffle - May 18, 2006 6-10 P.M. - Madison Hotel, One Convent Road.

**TOWNSHIP COMMITTEE MEETING  
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**CONSENT CALENDAR (CONTINUED)**

5. (CONTINUED)

RA-1942- Daytop Family/Friends Association - 50/50 Off-Premise Raffle - September 18,  
2006 - 7 P.M. - Spring Brook Country Club, 9 Springbrook Road.

ROLL CALL: MRS. HYLAND YES MR. WATSON YES  
MR. ROSENBUSH YES MR. WOTOWICZ 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. Letter dated March 15, 2006 from the State of New Jersey, Department of Transportation giving approval of Ordinance #31-05, which ordinance establishes a Multi-Way Stop Intersection at Old Turnpike Road and Punch Bowl Road, signs to be erected and must conform to the current "Manual on Uniform Traffic Control Devices".
2. Civil Action Complaint (Real Property Tax Direct Appeal) filed with the Tax Court of New Jersey for 435 South Street, Block 7003, Lot 20, CO001, Southgate Corporate Office C/O UPS.
3. Letter from the State of New Jersey, Department of Education, showing "Allocation of Equalized Valuation" printout for the 2006-07 year, 67.3940780 for Morris Township and 32.6059220 for Morristown.
4. Civil Action Complaint (Real Property Tax Direct Appeal) filed with the Tax Court of New Jersey for 2 Whippany Road, Block 10001, Lot 6, and 15 Lindsley Drive, Block 10001, Lot 7, Innkeepers Morristown LLC.
5. Petition of Appeal filed with the County Board of Taxation for Block 8301, Lot 7, 225 Madison Avenue for Madison Ave. 225 LLC.
6. Civil Action Complaint (Real Property Tax Direct Appeal) filed with the Tax Court of New Jersey for Block 10401, Lot 2, 268 Martin Luther King Avenue, One Cory Road Associates.
7. Civil Action Complaint (Real Property Tax) filed with the Tax Court of New Jersey for Block 10201, Lot 15, 150 Ridgedale Avenue, Evergr Cem By USPS, Tenant-taxpayer.
8. Civil Action Complaint To Review 2006 Real Property Tax Assessment) filed with the Tax Court of New Jersey for Block 9301, Lot 7, Columbia Assoc. c/o Bayer Corp.

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**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
APRIL 5, 2006 PAGE 17**

**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. Thanked Bob Nace, Rick Watson and Julie Hasbrouck for their hard work and hours of dedication in preparing the budget.
2. Reminder - School Board Election coming up - encouraged everyone to vote.

MR. ROSENBUSH

1. Noted an article in the Daily Record on the Senior Citizen Club which donated fire alarms, thanked Peggy Adams.
2. Thanked Bob, Rick, Julie and Fred in budget process.
3. We have an invitation from a Sister City in China to participate in a work fair in China.

MR. WATSON

NONE

MR. WOTOWICZ

NONE

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MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

**1. Proclamation:** MYASTHENIA GRAVIS AWARENESS MONTH - JUNE 2006,  
WHEREAS, MYASTHENIA GRAVIS is a neuromuscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans, and

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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. (MGFA), 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

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
APRIL 5, 2006 PAGE 18**

**TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS**  
**MAYORAL COMMENTARY - MAYOR ROBERT E. NACE (CONTINUED)**

**1. Proclamation: MYASTHENIA GRAVIS AWARENESS MONTH - JUNE 2006  
(CONTINUED)**

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

NOW, THEREFORE, I, Robert E. Nace, Mayor of the Township of Morris, County of Morris, New Jersey, do hereby proclaim

**JUNE 2006  
AS  
MYASTHENIA GRAVIS AWARENESS MONTH**

In New Jersey.

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**2. Proclamation: EMERGENCY MEDICAL SERVICES WEEK - MAY 14-20, 2006**

WHEREAS, emergency medical services is a vital public service, and

WHEREAS, the members of The Morris Minute Men provide lifesaving care to those in need 24 hours a day, 7 days a week, and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury, and

WHEREAS, the members of The Morris Minute Men engage in hundreds of hours of specialized training and continuing education to enhance their lifesaving skills, and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

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

**WEEK OF MAY 14-20, 2006  
AS  
EMERGENCY MEDICAL SERVICES WEEK**

- - -

3. Participation in FEMA round table exercise, May 19, 2006 all day, exercise the Township will be participating will be full mobility of meds distribution: Police Department, Fire Department, EMS, Township employees will participate.

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**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
APRIL 5, 2006 PAGE 19**

**CONSIDERATION OF MONTHLY REPORTS**

NONE

\* \* \*

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

The Governing Body recessed at 9:06 P.M., the April 5, 2006 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 10:24 P.M. the April 5, 2006 recessed Regular Meeting was called to order and five (5) resolutions were adopted "AUTHORIZING SETTLEMENT OF MORRISTOWN PARK ASSOCIATES VS. TOWNSHIP OF MORRIS, BLOCK 8601/LOT 3", "AUTHORIZING SETTLEMENT OF GOVERNOR MORRIS HOTEL VS. TOWNSHIP OF MORRIS, BLOCK 10001/LOT 6", "RE: AUTHORIZING PAYMENT-RESOLUTION OF FINDINGS AND DETERMINATION (APERUTA VS. PIRRILLO, ET ALS)", "RE: AUTHORIZING SIGNING OF CONSENT ORDER RE: DOUBLE D'S OAL DOCKET NUMBER: ABC AM 05329-2004N - RESOLUTION OF FINDINGS AND DETERMINATION", "RE: APPOINTING THOMAS J. LUBY AS FIRST ALTERNATE TO THE MORRIS TOWNSHIP BOARD OF ADJUSTMENT-RESOLUTION OF FINDINGS AND DETERMINATION", thereafter with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 10:40 P.M., next to convene at the 8:00 P.M., April 19, 2006, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris

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CATHLEEN AMELIO  
TOWNSHIP CLERK

DATED: APRIL 25, 2006