

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, MAY 17, 2006, 8:00 P.M.**

CALL TO ORDER

The May 17, 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
Fred J. Rossi, Township Administrator
Julia A. Hasbrouck, CFO/Treasurer
Mark Howarth, Superintendent, WPCU
Timothy Vrabel, Township Auditor

* * *

PLEDGE OF ALLEGIANCE

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

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FULL TEXT OF ORDINANCES CAN BE OBTAINED AT THE CLERK'S OFFICE
50 WOODLAND AVENUE
COVENT STATION, NJ
MONDAY THROUGH FRIDAY
8:30 A.M. TO 4:30 P.M.

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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 May 12, 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".

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SPEAKER'S TIME LIMITATION

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

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APPROVAL OF MINUTES

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

APRIL 5, 2006 - REGULAR MINUTES
APRIL 5, 2006 - CLOSED MINUTES
APRIL 19, 2006 - REGULAR MINUTES
APRIL 19, 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 TO OLDE WHEATSHEAF HOMEOWNERS' ASSOCIATION

Mrs. Hyland and Mr. Watson presented a resolution of recognition and congratulations to Mrs. Sophia Bacas and other members of the Wheatsheaf Homeowners' Association.

* * *

STEP 3 GRIEVANCE HEARING - THOMAS STRELEC

Michael Broderick appeared as Union Rep, Thomas Strelec, 20 years of employment, Vincent Catano, Shop Steward. Mr. Broderick summarized grievance, injured at plant slipping on ice, taken to hospital, would allow extension of decision from June 15 to June 21, 2006. Discussion to be taken up in closed session.

* * *

ADOPTION OF 2006 MUNICIPAL BUDGET

Mr. Watson presented a power point presentation of the 2006 municipal budget, and thanked Mr. Nace, members of the Committee, Mr. Rossi, Mrs. Hasbrouck and Mr. Vrabel, Township Auditor.

Discussion was opened to the public and the following spoke:

Mr. Joseph Cavenelli, 12 Victoria Lane;
Mr. David Didmanoff, 62 Frederick Place;
Mr. Jeff Grayzel, 1 Indian Head Road;
Mr. Ron Goldberg, 4 1/2 Hilltop Circle.

* * *

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

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PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
Letter of recommendation from the Township Planning Board.

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

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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)

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

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

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 June 21, 2006 regular meeting at 8:00 P.M.:

ORDINANCE #12-06 - PROVIDING FOR THE REZONING OF BLOCK 5401, LOT 2, SITUATED ON MOUNT KEMBLE AVENUE, MORRIS TOWNSHIP, NEW JERSEY AND REZONING SAID PROPERTY FOR OPEN SPACE GOVERNMENTAL USE (OS-GU)

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

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

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 dated May 5, 2006 with Morris Center YMCA for the use of Morris Township Swimming Pools for the year 2006, i.e., 7 A.M. - 8:30 A.M., June 26 to August 11, 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 YES
MAYOR NACE YES

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AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO ENTER INTO LEASE AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS – LAKELAND HILLS YMCA

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 dated May 2006 with Lakeland Hills YMCA for the use of Morris Township Swimming Pools for the year 2006, i.e., Monday through Friday, June 19 through August 4, 2006 from 6:30 to 8:30 A.M., 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 YES
MAYOR NACE YES

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DEDICATION BY RIDER RESOLUTION

Requesting approval of the Director of the Division of Local Government Services to Establish a Dedicated Trust by Rider for Recreation Programs and Events, pursuant to (N.J.S. 52:27D-192 et seq.).

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WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, N.J.S. 52:27D-192 et seq. permits all monies collected pursuant to this section shall be placed in a special municipal trust fund to be applied to the cost to the municipality for Recreation Programs and Events.

WHEREAS, N.J.S.A. 40A: 4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

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

1. The Governing Body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Recreation Programs & Events created in accordance with the provisions of N.J.S.A. 40A:4-39; and
2. The municipal clerk of the Township of Morris is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

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CANCELLING GRANTS RECEIVABLE AND APPROPRIATION RESERVE BALANCES

WHEREAS, a receivable balance for various Grants from The State of New Jersey remains on the Current Fund balance sheet and the General Capital balance sheet, and

WHEREAS, it is necessary to formally cancel these balances and its' offsetting appropriation reserve balances for the balance sheet;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, State of New Jersey, that the following grants receivable and appropriation reserve balances be cancelled.

<u>GRANT TITLE</u>	<u>RECEIVABLE BALANCES</u>	<u>GRANTS APPROPRIATED</u>
Municipal Alliance 2001	\$ 852.92	\$.00
Click it or Ticket 2001	\$ 200.00	\$.00
Child Passenger Safety Grant 2000	\$ 1,699.09	\$ 547.91
Tree Planting Grant Recreation	\$.00	\$ 704.94
General Capital NJ Dot Blackberry Lane	\$48,163.40	\$.00

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

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RESOLUTIONS (CONTINUED)

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:87)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, in the County of Morris, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2006 in the amount of \$23,707.76 which item is now available as revenue from the State of New Jersey, Department of Environmental Protection.

BE IT FURTHER RESOLVED that the like sum of \$23,707.76 be appropriated as Clean Community Grant Program.

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

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**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:87)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, in the County of Morris, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2006 in the amount of \$4,000.00 which item is now available as a revenue for Click It or Ticket from the State of New Jersey, Department of Law and Public Safety, Division of Highway Traffic Safety.

BE IT FURTHER RESOLVED that the like sum of \$4,000.00 be appropriated as Click It or Ticket 2006.

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

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RESOLUTIONS (CONTINUED)

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

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

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

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.

<u>NAME</u>	<u>BALANCE</u>	<u>ESCROW ACCOUNT #</u>
Emad A. Dawod	\$436.42	E-12-56-808-567

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

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AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH THE COMMISSIONER OF TRANSPORTATION, STATE OF NEW JERSEY AND THE TOWNSHIP OF MORRIS REGARDING CONSTRUCTION ON ROUTE 202 SOUTHBOUND FROM JENKS ROAD TO OLD HARTER ROAD

WHEREAS, the Commissioner of Transportation, acting for and in the name of the State of New Jersey, hereinafter called the 'State', and the Township of Morris, hereinafter called the 'Utility' is about to undertake the design and construction of Route 202 Southbound from Jenks Road to Old Harter Road, located in the Township of Morris, hereinafter called the 'Project', and

WHEREAS, this agreement is covering the understanding between the 'State' and 'Utility' for the relocation/protection of certain sewer facilities in connection with construction of the above referenced project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized to execute the Agreement with the Commissioner of Transportation, State of New Jersey regarding "Construction of Route 202 SB from Jenks Road to Old Harter Road.

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (7-\$173,970.96)

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>				
2807	6	Aurora Loan Services	Refund Tax O/P 2 nd & 3 rd Qtr 2006	\$ 5,857.68
3904	6	Fulmin A. Almonte	Refund Tax O/P 3 rd 2005, 2 nd & 3 rd 2006	\$ 3,152.96
4401	18	Don & Lisa Casey	Refund Tax O/P 1 st Qtr 2006	\$ 3,284.67
5504	5	William & Mary Jane Lukaszuk	Refund Tax O/P 2003, 2004, 2005, 2006	\$ 18,480.03
7305	13	Township of Morris-Sewer Acct	Transfer Tax O/P to Sewer Account	\$ 600.00
8601	3	Morristown Park Associates	Refund SBJ 2004	\$ 3,045.00
10001	6	Peter Davidson, LLC tte for Gov.Morris	Refund SBJ 2003	\$139,550.62

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

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NEW 2006/2007 ALCOHOLIC BEVERAGE LICENSE FOR INNKEEPERS HOSPITALITY MANAGEMENT, INC., T/A WESTIN MORRISTOWN, 2 WHIPPANY ROAD.

BE IT RESOLVED by the Township Committee of the Township of Morris, Morris County, New Jersey, that the following application for a Plenary Retail Consumption License with Hotel/Motel Exemptions for Innkeepers Hospitality Management, Inc., T/A Westin Morristown, is a new application for the 2006-2007 license year, commencing July 1, 2006 and ending June 30, 2007; the fees having been paid and the applicant has complied with all of the requirements of the statutes and the rules and regulations of the Division of Alcoholic Beverage Control and the ordinances of the Township of Morris:

PLENARY RETAIL CONSUMPTION LICENSE WITH HOTEL/MOTEL EXEMPTIONS

NAME OF LICENSEE	LOCATION OF PREMISES	FEE	NUMBER
Innkeepers Hospitality Management, Inc., T/A Westin Morristown	2 Whippany Road Morris Township, N.J. (P.O. Morristown, N.J. (Block 10001, Lot 6, F/K/A Block 460, Lot 19)	\$2,000	State to provide new number

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING PURCHASE OF A FORD EXPLORER THROUGH STATE CONTRACT NO. A63961 FROM WARNOCK FLEET AND LEASING, 175 ROUTE 10, P.O. BOX 524, EAST HANOVER, NJ 07936-0524 FOR THE WATER POLLUTION CONTROL UTILITY - NTE \$22,769.35

WHEREAS, the Township of Morris wishes to purchase a vehicle for use by the Water Pollution Control Utility, and

WHEREAS, the above item is available through State Contract No. A63961 from Warnock Fleet and Leasing, 175 Route 10, PO Box 524, East Hanover, NJ 07936-0524, and

WHEREAS, the Director of Finance has certified that funds are available in Sewer Other Expenses in the amount of \$22,769.35.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, Township of Morris, State of New Jersey, that a contract be awarded to Warnock Fleet and Leasing for the purchase of a Ford Explorer in the amount not to exceed \$22,769.35.

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

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AUTHORIZING AWARD OF PROFESSIONAL CONSULTING AND ENGINEERING SERVICES CONTRACT TO HATCH MOTT MAC DONALD FOR PLYMOUTH & MAC KENZIE ROAD DRAINAGE IMPROVEMENTS PROJECT REBID IN AN AMOUNT NOT TO EXCEED \$16,000

WHEREAS, the Township Engineer has, by letter dated May 15, 2006 (ENG-175-06), recommended the award of a contract to Hatch Mott MacDonald for Professional Consulting and Engineering Services in connection with the Plymouth & MacKenzie Road Drainage Improvements Project Rebid, and

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

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

1. The Mayor and Township Clerk are authorized to enter into an agreement with Hatch Mott Mac Donald, 27 Bleeker Street, Millburn, NJ 07041-1008 for professional engineering consulting services for the Plymouth & MacKenzie Road Drainage Improvements Project Rebid in an amount not to exceed \$16,000.

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING CONTRIBUTION TO THE MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM - NOT TO EXCEED \$2,983.00

WHEREAS, there has been created a Morris County Adaptive Recreational Program (McARP), and

WHEREAS, said program intends to provide recreational services for persons with disabilities of all ages, and further to give said persons an opportunity to explore new leisure time skills in conjunction with their age and specific disabilities, and

WHEREAS, the Township of Morris's costs with respect thereto will be approximately \$2,983, and

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

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

1. That the Township of Morris hereby intends to join the Morris County Adaptive Recreational Program (McARP) as described above and contribute thereto in the amount not to exceed \$2,983 for one year.

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

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IN RECOGNITION AND OF CONGRATULATIONS - OLDE WHEATSHEAF HOMEOWNERS' ASSOCIATION

WHEREAS, OLDE WHEATSHEAF HOMEOWNERS' ASSOCIATION has been awarded the 2006 McFlower Town Award, Improvement Category: Residential, presented by Morris Tomorrow, and

WHEREAS, the residents of the Wheatsheaf area have taken pride and have spent many hours in their efforts to restore and beautify their neighborhood, along Sussex Avenue and Sunderland Drive, and

WHEREAS, it is fitting and proper that the citizens of the Township of Morris express, through the local elected officials, congratulations to Old Wheatsheaf Homeowners' Association upon receiving the 2006 McFlower Town Award.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Members of the Township Committee, on behalf of the municipality, by individual hand and seal, recognize and extend congratulations to

OLDE WHEATSHEAF HOMEOWNERS' ASSOCIATION

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RESOLUTIONS (CONTINUED)

**IN RECOGNITION AND OF CONGRATULATIONS - OLDE WHEATSHEAF HOMEOWNERS'
ASSOCIATION (CONTINUED)**

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

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**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ATLANTIC
AMBULANCE CORP. FOR EMERGENCY MEDICAL SERVICES AND MEDICAL
TRANSPORTATION FOR ONE YEAR - NO CHARGE**

WHEREAS, the Township of Morris has need for additional emergency medical services and medical transportation, and

WHEREAS, Atlantic Ambulance Corp. (AAC), 475 South Street, P.O. Box 1905, Morristown, New Jersey 07962-1905 is a medical transportation company licensed by the New Jersey Department of Health and Senior Services ('NJDHDD;') and certified by the Medicare and Medicaid Programs to provide basic life support transportation services, specialty care transportation services and mobility assistance vehicle services ('Transportation Services'), and

WHEREAS, the Township wishes to enter into an agreement with AAC for the provision of such services to the community during the period and on the terms and conditions set forth in the Agreement and at 'No Charge' to the Township.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor is authorized to enter into said Agreement 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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**DENYING GRIEVANCE 06-03 FILED BY CAPTAIN GARY A. ADAMS - RESOLUTION OF
FINDINGS AND DETERMINATION**

WHEREAS, the Township of Committee did, on May 17th 2006, take up in closed session the consideration of grievance 06-03 filed by Captain Adams; and,

WHEREAS, said grievance alleged that Captain Adams improperly received a written reprimand concerning his work on a "side job" and further contended that said reprimand was "contrived"; and,

WHEREAS, the Township Committee has reviewed the grievance itself, the supporting documentation of Captain Adams and the responding documentation of Chief Michael Loughman; and,

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RESOLUTIONS (CONTINUED)

DENYING GRIEVANCE 06-03 FILED BY CAPTAIN GARY A. ADAMS - RESOLUTION OF FINDINGS AND DETERMINATION (CONTINUED)

WHEREAS, Committeewoman Hyland had recused herself and left the room prior the consideration of this grievance; and,

WHEREAS, the balance of the Township Committee did duly deliberate on said grievance and reached a resolution thereof.

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

The Township Committee finds that the facts of the matter are that Captain Adams did, by his own admission, deviate from a standard operating procedure relative to an off duty "side" job worked by him on January 22nd and 23rd 2006 in that Captain Adams rendered private services to a member of the public instead of processing the "side job" through the Township's established policy and procedure and wore uniform but without having on his person a firearm, radio or other equipment which is required to be carried by an officer when in uniform.

BE IT FURTHER RESOLVED that the Township of Committee does find that the reprimand was properly issued and accordingly, any relief pursuant to the grievance is hereby denied.

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

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

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

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

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

* * *

PUBLIC COMMENT/INQUIRY

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

Mr. Jeff Grayzel, 1 Indian Head Road, spoke about Ordinance #12-06.

* * *

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 Kiwanis Club of Morristown to hold their Country Squire 5K and 10K Runs on October 1, 2006, 10 A.M., starting at Woodland Avenue, and in connection therewith, to hang banners over Woodland and Sussex Avenues from September 25 to October 3, 2006, subject to approval of the Police and Fire Chiefs, and the Superintendent of Roads, and the filing of a Certificate of Insurance and Hold Harmless Clause.
2. Granted permission to The Seeing Eye to use the 40' x 40' tent (previously received approval to be erected on April 5, 2006), to host a dinner for their Board of Trustees on June 21, 2006 and permission to erect the tent two days earlier, on June 19 or 20, the tent to include lighting; also permission has been granted to erect a caterer's tent where cooking would be done, **only** for the evening of June 21, 2006; the tent would still be dismantled on June 24 or 25, 2006.
3. Granted municipal consent to the residents of Tracy Court to hold their annual block party on June 17, 2006 from 3 to 8 P.M., closing Tracy Court during those hours, subject to the approval of the Police and Fire Chiefs.
4. Granted, in accordance with a memo dated May 4, 2006 from the Administrator, an extension of time to take 2005 vacations to December 31, 2006 to Karen Carman and Kevin Breen.

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CONSENT CALENDAR (CONTINUED)

5. Granted extension of time to take 2005 vacation to December 31, 2006 to Betty Prudden.
6. Granted municipal consent to the residents of Gregory Avenue to hold their annual block party on June 10, 2006 from 12 to 10 P.M., closing Gregory Avenue during those hours, subject to the approval of the Police and Fire Chiefs and if possible to have a police car come by and see the kids.
7. Approved, in accordance with a letter of recommendation from Craig Goss, Fire Chief dated May 15, 2006, Sean M. Kumpf, 9 Maple Avenue, Mendham, NJ 07945 as a volunteer fireman for the Township Fire Department (Hillside Hose Company).
8. Approved, in accordance with a letter of recommendation from Michael Loughman, Police Chief dated May 10, 2006, the permanent appointment of James Perruso, as Communications Officer Class I, effective April 24, 2006.
9. Granted permission to Warnock Automotive Group, Inc. to host a Monster Truck Rally on May 27, 2006 from 9 A.M. to 5 P.M., 200 Ridgedale Avenue, crushing 3 to 5 cars, and to have a 'Moon Walk', an inflatable amusement, which will be set up at 170 Ridgedale Avenue, subject to approval of the Police and Fire Chiefs and Health Administrator.
10. Granted permission to Morristown High School to use the Streeter Parking Lot for a district-wide Track Meet on Monday, May 22, 2006 for the afternoon, subject to approval of the Recreation Director and Police Chief.
11. Authorizing the issuance of an Owner/Operator of a Vehicle For Hire License for Arthur J. Ritter, Jr., 17 Livingston Road, Morris Township, T/A Art's Taxi, License No. 17-06.
12. Granted permission to the Patriot's Path Council Boy Scouts of America to have a 15 minute display of fireworks at 9 P.M. on June 8, 2006 during a dinner to be held at the Morris County Golf Club, Punch Bowl Road, subject to approval by the Fire Chief and the notifying of the neighbors in advance of the display.
13. 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-1947 - College of Saint Elizabeth - 50/50 Off-Premise Raffle - June 22, 2006
6-11 P.M. - Madison Hotel, Madison Avenue.

RA-1948 - Somerset Hills YMCA -50/50 Off-Premise Raffle - September 25, 2006
6 P.M. - Spring Brook Country Club, 9 Springbrook Road.

RA-1949 - HSA Normandy Park - On-Premise Raffle - May 24, 2006 - 6-9 P.M.
Normandy Park School, Normandy Parkway.

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

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**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MAY 17, 2006 PAGE 16**

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. Public hearing notice received from the County of Morris, Department of Planning, Development & Technology that Ordinance #9-06 was received on May 1, 2006 upon introduction by the Township Committee on April 5, 2006.
2. Certificate of Registration from the State of New Jersey, Department of Community Affairs for Block 87.04, Lot 08-15, 16-22 Independence Way and Block 87.05, Lot 07-13 for 68-80 Independence Way, owners: Liberty Greens Condo Assn.
3. Statement of Determination from the Board of Canvassers, Township of Morris/Morris School District, stating that the Morris School District Budget of \$71,829,348.00 for the year 2006-2008.
4. Statement of Determination from the Board of Canvassers, Township of Morris/Morris School District, stating that the Morris School District has elected Lynn Horowitz and Ann B. Rhines to the Board of Education for three years.
5. Audit Report for the year ending December 31, 2005 for the Southeast Morris County Municipal Utilities Authority.
6. Landlord Registration Statement for 4 Jones Drive, Block 3103, Lot 38, owners: Baldo J. and Elena R. Dattolo who reside at 16 Stark Drive, Morristown, NJ 07960.

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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. Get out and support the carnival, needs volunteers; mayor nominated as next Grand Marshall of St. Patrick Parade.

MR. ROSENBUSH

1. Support the carnival.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MAY 17, 2006 PAGE 17**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. WATSON

1. The Beautification Committee planting of barrels on Speedwell Avenue was successful.
2. Property located on East Hanover Avenue needs enforcement of property maintenance.
3. Awareness of genocide in Darfur.
4. Pre-season splash party at Streeter Pool on June 16, 2006.

MR. WOTOWICZ

1. Attended Morris Tomorrow awards dinner - was a recipient for service on the Board of Ten Towns.

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

1. The Township Information Table at the carnival will be staffed by volunteers and Environmental Commission members.
2. Completed historical home tour - will try to plan this on an annual basis.
3. Memorial Day Parade Monday, May 29, 2006, 10 A.M. at Municipal Building to honor military.
4. Editorial in the newspaper - issue: tear down of existing houses and the impact on the community - will be preparing a letter in response concerning tear downs.

* * *

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:

APRIL 2006
TAX COLLECTOR

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

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**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MAY 17, 2006 PAGE 18**

APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #2 (MBA #2) dated May 17, 2006 \$10,976,037.69

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 \$10,976,037.69 for payment of the itemized Vouchers set forth on Schedule A, referenced as Minute Book Attachment No. 2, 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: MRS. HYLAND YES MR. WATSON YES
 MR. ROSENBUSH YES MR. WOTOWICZ YES
 MAYOR NACE YES

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

The Governing Body recessed at 10:10 P.M., the May 17, 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

Mrs. Hyland left the meeting at this point and at 10:13 P.M. the May 17, 2006 recessed Regular Meeting was called to order and a resolution entitled "DENYING GRIEVANCE 06-03 FILED BY CAPTAIN GARY A. ADAMS - RESOLUTION OF FINDINGS AND DETERMINATION", was adopted, thereafter with no further business to be considered, on motion duly made, seconded and unanimously (4-0-0-1 - Mrs. Hyland absent) adopted, the meeting was adjourned at 11:07 P.M., next to convene at the 8:00 P.M., June 21, 2006, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: JUNE 5, 2006