

**MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, AUGUST 16, 2006, 8:00 P.M.**

**CALL TO ORDER**

The August 16, 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

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**PLEDGE OF ALLEGIANCE**

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

\* \* \*

**PLEASE NOTE: ORDINANCES IN FULL CAN BE OBTAINED IN THE CLERK'S OFFICE**

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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 August 11, 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:

JULY 11, 2006 - SPECIAL MEETING  
JUNE 21, 2006 - REGULAR MEETING  
JUNE 21, 2006 -CLOSED MEETING  
JULY 19, 2006 - REGULAR MEETING  
JULY 19, 2006 - CLOSED MEETING

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

\* \* \*



**TOWNSHIP COMMITTEE MEETING  
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**ORDINANCES - INTRODUCTION (CONTINUED)**

**ORDINANCE #20-06** - "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,480,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,355,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" (SUPPLEMENTAL DEBT STATEMENT DATED 8/16/06 - MINUTE BOOK ATTACHMENT #1)

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

- - -

**ORDINANCE #21-06** - "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 \$1,031,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$979,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. (SUPPLEMENTAL DEBT STATEMENT DATED 8/16/06) (MINUTE BOOK ATTACHMENT #2)

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

**IN RECOGNITION AND OF CONGRATULATIONS - SCOTT BURNS**

WHEREAS, SCOTT BURNS has rendered to the citizens and residents of the Township of Morris, twenty-five years of service in the Police Department, and

WHEREAS, in November 1981 Scott was appointed as Patrolman, assigned to the Patrol Division, in November 1988 he was appointed as a Detective in the Detective Bureau and was temporarily assigned to the Morris County Prosecutor's Narcotics Task Force, and

WHEREAS, in February 1991 Scott was promoted to Sergeant in the Patrol Division, and in August 1995 to Lieutenant serving as Shift Commander and at various times as Officer-In-Charge of Traffic Safety and Training/Firearms, and

WHEREAS, Lt. Burns is a PTC Certified Police Instructor and for ten years instructed recruit classes in Criminal Statutes and in-service personnel in RADAR and other programs. Within the department Scott managed our firearms program, coordinated all in-house training efforts and provided annual updates on changes in criminal statutes, and

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**ORDINANCES - INTRODUCTION (CONTINUED)**

WHEREAS, during his career, Lt. Burns received departmental commendations including the Grant Cordon Award (1), Life Saving Award (1), Honorable Service Award (1), Educational Achievement (8) and Good Conduct Award (23).

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

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That this Township Committee, on behalf of the citizens of the Township of Morris, does hereby, extend appreciation for years of dedicated service and best wishes for a happy and healthy retirement.

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BE IT FURTHER RESOLVED that this recognition be presented to

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

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AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT TO VALUE RESEARCH GROUP, LLC, 301 S. LIVINGSTON AVENUE, LIVINGSTON, NJ 07039 NTE \$20,000 – FOR TAX APPEALS.

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WHEREAS, the Township of Morris has the need for professional real estate consulting services related to the defense of tax appeals, and

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WHEREAS, Value Research Group, LLC is a firm specializing in real estate valuation for tax appraisal purposes, and

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

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WHEREAS, professional services may be awarded without public advertising for bids therefore, and

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

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

1. A contract for professional real estate consulting services is hereby awarded to Arthur A. Linfante, III, MAI, CTA, SCGREAA and the firm of Value Research Group, LLC, not to exceed \$20,000.

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

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**RESOLUTIONS (CONTINUED)**

- - -  
AUTHORIZING AWARD OF CONTRACT TO PK ENVIRONMENTAL PLANNING & ENGINEERING, P. O. BOX 1066, 205 MAIN STREET, CHATHAM, NJ 07928 FOR WETLANDS ANALYSIS/DELINEATION AND NJDEP LETTER OF INTERPRETATION APPLICATION FOR BLOCK 9701, LOT 1.01 (BLUE GATE FARM SOCCER FIELD) - NTE \$4,750.00

WHEREAS, the Township of Morris has need for professional engineering services for a Wetlands Analysis and Field Delineation/Letter of Interpretation (LOI) for Block 9701, Lot 1.01 (Blue Gate Farm Soccer Field), and

AUTHORIZING AWARD OF CONTRACT TO PK ENVIRONMENTAL PLANNING & ENGINEERING, P. O. BOX 1066, 205 MAIN STREET, CHATHAM, NJ 07928 FOR WETLANDS ANALYSIS/DELINEATION AND NJDEP LETTER OF INTERPRETATION APPLICATION FOR BLOCK 9701, LOT 1.01 (BLUE GATE FARM SOCCER FIELD) - NTE \$4,750.00 (CONTINUED)

WHEREAS, PK Environmental Planning & Engineering is a professional engineering firm located at 205 Main Street, P.O. Box 1066, Chatham, New Jersey 07928, and

WHEREAS, N.J.S.A. 40A:11-5 provides that any contract or agreement for professional services may be negotiated or awarded without public advertising, and

WHEREAS, the profession of planning and engineering is one regulated by law, the performance of which requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of instructions, and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds stating that funds are available.

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

1. The Township of Morris does hereby award a contract to PK Environmental Planning & Engineering, P.O. Box 1066, 205 Main Street, Chatham, NJ 07928 for professional engineering services as more fully described in a proposed scope of services dated June 22, 2006 in an amount not to exceed \$4,750.00.

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

- - -  
**RESOLUTION SUPPORTING THE YOU DRINK AND DRIVE, YOU LOSE 2006 STATEWIDE CRACKDOWN**

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 31% of motor vehicle fatalities in New Jersey are alcohol-related; and

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**RESOLUTIONS (CONTINUED)**

WHEREAS, a statewide enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the summer season is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout New Jersey to participate in the You Drink and Drive, You Lose 2006 Statewide Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from August 18 - September 4, 2006; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, they being the Governing Body thereof, declares its support for the You Drink and Drive, You Lose 2006 Statewide Crackdown from August 18 - September 4, 2006 and pledges to increase awareness of the dangers of drinking and driving.

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

- - -

AUTHORIZING THE TOWNSHIP OF MORRIS TO ENTER INTO A RENEWAL COOPERATIVE PRICING AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, HEREINAFTER REFERRED TO AS THE "LEAD AGENCY" FOR THE CONDUCT OF CERTAIN FUNCTIONS RELATING TO THE PURCHASE OF WORK MATERIALS AND SUPPLIES FOR THEIR RESPECTIVE JURISDICTIONS - NTE \$1000.00 ANNUALLY FOR A PERIOD OF FIVE (5) YEARS

BE IT RESOLVED by the Township Committee of the Township of Morris, County of Morris and State of New Jersey as follows:

This resolution shall be known and may be cited as the "Renewal" Cooperative Pricing Council Resolution of the Township of Morris.

Pursuant to the provisions of N.J.S. 40A:11-11(5), the Township Committee is hereby authorized to enter into a "Renewal" Cooperative Pricing Agreement with the Lead Agency or any other contracting unit within the County of Morris or adjoining counties for the purpose of work, materials and supplies.

The Lead Agency entering into contracts on behalf of the Township of Morris shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

All resolutions or parts thereof inconsistent with this resolution shall be and the same are hereby repealed.

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**RESOLUTIONS (CONTINUED)**

This "Renewal" Cooperative Pricing Council Resolution shall be effective October 1, 2006 and such membership shall be for the duration of five (5) years of the "Renewal" Cooperative Pricing Agreement, expiring September 30, 2011, unless the "Lead Agency" and the Division of Local Government Services elects to withdraw.

AUTHORIZING THE TOWNSHIP OF MORRIS TO ENTER INTO A RENEWAL COOPERATIVE PRICING AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, HEREINAFTER REFERRED TO AS THE "LEAD AGENCY" FOR THE CONDUCT OF CERTAIN FUNCTIONS RELATING TO THE PURCHASE OF WORK MATERIALS AND SUPPLIES FOR THEIR RESPECTIVE JURISDICTIONS - NTE \$1000.00 ANNUALLY FOR A PERIOD OF FIVE (5) YEARS

This resolution shall take effect immediately upon final passage and publication according to law.

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

- - -

AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT FOR CLASSIFICATION OF STOCKPILED SOILS (STREET SWEEPINGS) LOCATED AT THE DPW FACILITY, JANE WAY, MORRIS TOWNSHIP TO SUBURBAN CONSULTING ENGINEERS, INC., 100 VALLEY ROAD, SUITE 202, MOUNT ARLINGTON, NEW JERSEY 07856 - NTE \$3,500.00

WHEREAS, the Township of Morris has need for the professional services of a professional engineer with respect to the classification of stockpiled soils (street sweepings) collected by the Department of Public Works, and;

WHEREAS, Suburban Consulting Engineers, Inc. is a licensed engineering firm located at 100 Valley Road, Suite 202, Mount Arlington, NJ 07856, and;

WHEREAS, N.J.S.A. 40A:11-5 provides that any contract or agreement for professional services may be negotiated or awarded without public advertising, and pursuant to NJSA 19:44A-20.8 will provide to the Township of Morris as required by law the Business Entity Disclosure Certification for non-fair and open contracts and;

WHEREAS, engineering services is one regulated by law, the performance of which requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of instructions, and;

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds stating that funds are available

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

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**RESOLUTIONS (CONTINUED)**

1. The Township of Morris does hereby award a contract to Suburban Consulting Engineers, Inc., for engineering services as more fully described in a proposed scope of services dated August 2, 2006, on file in the Office of the Township Clerk, in the amount of \$3,500.
  
2. An official notice of this action shall be published in accordance with the law.

AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT FOR CLASSIFICATION OF STOCKPILED SOILS (STREET SWEEPINGS) LOCATED AT THE DPW FACILITY, JANE WAY, MORRIS TOWNSHIP TO SUBURBAN CONSULTING ENGINEERS, INC., 100 VALLEY ROAD, SUITE 202, MOUNT ARLINGTON, NEW JERSEY 07856 - NTE \$3,500.00 (CONTINUED)

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

AUTHORIZING THIRD QUARTER 2006 TAX GRACE PERIOD TO BE EXTENDED

WHEREAS, the Collector of Taxes has certified to the Township of Morris that the mailing or other delivery of all original tax bills and advice copies for the 3<sup>rd</sup> and 4<sup>th</sup> quarters 2006 as well as the 1<sup>st</sup> and 2<sup>nd</sup> 2007 installments was completed on August 1, 2006, and

WHEREAS, NJSA 54:4-66.3d provides that the third quarter property taxes shall not be subject to interest until the later of: August 1; or, the ten day grace period; or the twenty fifth calendar day after the tax bills were mailed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, that the grace period be extended to August 28, 2006 after which time interest will accrue back to August 1, 2006.

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

AUTHORIZING REFUND OF MONIES DUE TO SEWER OVERPAYMENTS (1-\$139.00)

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.:

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**RESOLUTIONS (CONTINUED)**

**SEWER**

<u>Block Lot</u>	<u>Name</u>	<u>Reason</u>	<u>Amount</u>
2304 36	Minnie Patterson	Refund O/P 4 <sup>th</sup> Qtr 2006	\$139.00

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

AUTHORIZED AN INCREASE IN CONTRACT TO TRIASSIC TECHNOLOGY, INC., 157-B SPRING STREET, NEWTON, NJ 07860 FOR ENVIRONMENTAL SERVICES AS IT RELATES TO THE FORMER PECAR MOBIL PROPERTY – IN AN AMOUNT NTE \$15,000.

WHEREAS, the Township of Morris has the need for environmental services as it relates to the Pecar Mobil property; and

WHEREAS, Triassic Technology, Inc. is a professional environmental firm having professional environmental staff licensed in the State of New Jersey; and

WHEREAS, N.J.S.A. 40A:11-1 et. seq. authorizes 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 environmental services is a recognized profession, regulated by law, requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in the 2006 budget, Hazardous Discharge Grant, Account #6-01-41-764-291.

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 with Triassic Technology, Inc., for environmental consulting services for the former Pecar Mobil property in an additional amount not to exceed \$15,000.
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 ABSENT  
MAYOR NACE YES  
- - -

**TOWNSHIP COMMITTEE MEETING  
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**RESOLUTIONS (CONTINUED)**

AUTHORIZING AN INCREASE IN THE AWARD TO MARAZITI, FALCON AND HEALEY, L.L.P., 50 JOHN F. KENNEDY PARKWAY, SHORT HILLS, NJ 07078 IN THE AMOUNT NTE \$2,700 FOR PROFESSIONAL LEGAL SERVICES RE: FORMER PECAR MOBIL PROPERTY

WHEREAS, the Township of Morris has need for the professional services in reference to a plan of action in developing and implementing the appropriate plan of action for property located at 207 Speedwell Avenue, and:

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

WHEREAS, professional services may be awarded without public advertising for bids therefore, 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 2006 budget, Hazardous Discharge Grant, Account #6-01-41-764-291.

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

1. Authorizing an increase in the contract to Maraziti, Falcon and Healey, L.L.P. for Professional Legal Services Re: Former Pecar Mobil Property, in the amount NTE \$2,700.

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

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AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO A CONTRACT WITH NATIONAL CLEC SERVICES, LLC FOR VOICE OVER IP TELEPHONE AND INTERNET SERVICES FOR A PERIOD OF FIVE (5) YEARS AT A COST NTE \$323,680.00 SUBJECT TO FUTURE APPROPRIATIONS IN THE ANNUAL BUDGETS

WHEREAS, the Township of Morris has need of Voice Over IP Telephone and Internet Services, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are authorized to enter into a contract with National CLEC Services, LLC of 620 Tinton Avenue, Tinton Falls, NJ 07724 for Voice Over IP Telephone and Internet Services for a period of five (5) years at a cost not to exceed \$323,680.00, subject to future appropriations in the annual budgets.

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

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**RESOLUTIONS (CONTINUED)**

AUTHORIZING SETTLEMENT OF EVERGREEN CEMETERY BY USPS, TENANT-TAXPAYER VS. TOWNSHIP OF MORRIS, BLOCK 10201/LOT 15, 150 RIDGEDALE AVENUE

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 2006.

AUTHORIZING SETTLEMENT OF EVERGREEN CEMETERY BY USPS, TENANT-TAXPAYER VS. TOWNSHIP OF MORRIS, BLOCK 10201/LOT 15, 150 RIDGEDALE AVENUE (CONTINUED)

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 10201, Lot 15, 150 Ridgedale Avenue – the assessment will be reduced from \$3,714,900 to \$3,357,500 for the 2006 tax year.

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

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AUTHORIZING SETTLEMENT OF MORRISTOWN REALTY VS. TOWNSHIP OF MORRIS, BLOCK 7003/LOT 16, 475 SOUTH STREET

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 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 7003, Lot 16, 475 South Street - the assessment will be reduced from \$23,458,400 to \$20,507,100 for the 2005 tax year, and to \$19,702,800 for the 2006 tax year.

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

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**RESOLUTIONS (CONTINUED)**

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

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

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

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  
- - -

RE: DENYING GRIEVANCE FMBA LOCAL 70 (GRIEVANCE/VACATION)

WHEREAS, the Township Committee did entertain the above referenced grievance in closed session on August 16<sup>th</sup> 2006; and

WHEREAS, the grievance complained of the implementation by the Chief of the Fire Department of a personnel policy that limited the number of fire fighters allowed to be off duty (vacation) during the night tour of duty; and

WHEREAS, it was clearly established that the reason behind this limitation on the number of fire fighters taking vacation time at night was that a serious staffing shortage resulted which could not be filled by calling in unscheduled officers or "rotators"; and

WHEREAS, the discretion to allow vacation time has always resided with the department head by virtue of the personnel policy of the Township of Morris.

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

- (1) The grievance is denied at this level for the reasons set forth above.

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**RESOLUTIONS (CONTINUED)**

- (2) The Township Committee does determine that the ultimate decision to allow or disallow vacation time based upon issues dealing with operational needs of the Fire Department resides solely with the Chief of the Department and as such, the suggested correction of "negotiation" is inapplicable.

ROLL CALL: MRS. HYLAND YES MR. WATSON YES  
MR. ROSENBUSH YES MR. WOTOWICZ ABSENT  
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. & Mrs. Joseph Auriemma, 52 White Birch Road - deer culling notice on the corner of Ketch Road and West Hanover Avenue -no safe distance for the hunting of deer - would need to shoot toward Ketch and Hanover.

Officer Steven Summerer will respond to the resident's letter of concern and will address the issues - more warning signs needed.

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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. Accepted, in accordance with a memo dated July 20, 2006 from Michael Loughman, Police Chief, the resignation of Chance Summerer as a member of the Township Police Department, effective July 17, 2006.
2. Granted permission to the residents of Willison Park Road, Bedford Drive and Manor Drive to hold a block party on September 9, 2006 (rain date September 10) from 3 to 8 P.M., blocking Willison Park and Bedford, Willison Park at Manor Drive, leaving Manor Drive free for traffic flow, subject to approval of the Police and Fire Chiefs.
3. Accepted, in accordance with a memo from Craig Goss, Fire Chief dated July 28, 2006, the application of Matthew A. Ryer, 36 Ertman Drive, Whippany, NJ for membership in the Township Fire Department (Collinsville Fire Company).
4. Granted permission to the residents of Raymond Road to hold a block party on September 9, 2006 from 11 A.M. to midnight, closing Raymond Road between Fairchild and Sherman Avenues, subject to approval of the Police and Fire Chiefs.

**TOWNSHIP COMMITTEE MEETING  
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**CONSENT CALENDAR- CONTINUED**

5. Granted municipal consent to Saint Mark Lutheran Church to hold a Fall Festival and Rally Day at 100 Harter Road, September 10, 2006 from 12-5 P.M., including food, entertainment for children, subject to approval of the Board of Health and Police Chief.
6. Accepted, in accordance with a memo from Craig Goss, Fire Chief dated August 3, 2006, the application of Robert E. Scholl, 418 Pitney Place, Morristown, NJ for membership in the Township Fire Department (Woodland Hook & Ladder Company).
7. 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 provision 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-1959** - Knights of Columbus #0673 Fourth Degree Msgr. John J. Sheerin Assembly - 50-50 Off-Premise Raffle -December 8, 2006 - 9:00P.M. - St. Virgil's - 250 Speedwell Avenue.
  - RA-1960** - Madison High School - On-Premise Raffle - October 7, 2006 - 7:30-9:00 P.M. Madison Hotel, Madison Avenue.
8. Approved the taxi license of Martin R. Marulanda, 26 Kennedy Road, Owner/Operator of A+ Taxicab to December 31, 2006.
9. Granted permission to Sandra M. Johanson of 10 Oak Park Drive to hold a block party on September 2, 2006 (rain date-September 3, 2006) in the cul-de-sac of Oak Park Drive between the hours of 2PM to 8PM subject to the approval of the Police and Fire Chiefs.
10. Granted permission, in accordance with a memo dated July 13, 2006, to James Lavin to extend use of his 2005 vacation to December 31, 2006, and as approved by Fred Rossi on August 4, 2006.
11. Appointed, in accordance with a letter of recommendation from Michael Loughman, Police Chief, the following as Probationary Patrolmen and Communications Officer, Class I:

Patrolman Dominic DeAngelis, 16 Millbrook Road, Blairstown, NJ;  
Patrolman Natisha L. Etheridge, 317 Mahogany Court, Newark, NJ;  
Communications Officer, Class I, William J. O'Connor, 65 Valley View Drive, Morristown.

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

\* \* \*

**MATTERS OF OTHER BUSINESS**

NONE

\* \* \*

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**MATTERS RECEIVED FOR THE RECORD**

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

1. Certified Schedule of the 2006 General Tax Rate from the Morris County Board of Taxation showing a tax rate of 2.130.
2. Notice from the County of Morris Department of Planning, Development & Technology that they received a copy of Township Ordinance #17-06 as introduced on July 7, 2006, Amending the Zoning Ordinance of the Township.
3. Memo from Audrey Adams, Tax Collector, dated August 2, 2006, advising that all 2006-2007 tax bills have been mailed, which includes the third and fourth quarters of 2006 and the first and second quarters of 2007.

\* \* \*

**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. Recommended a flyer go out to neighbors regarding deer culling activity so that Officer Summerer could explain the technique and the safety issues. The Committee will review comments from Officer Summerer's response to the Auriemmas

**MR. ROSENBUSH**

NONE

**MR. WATSON**

1. Cost of Colonial Coach - many days the bus does not run - Mr. Rossi to contact Morristown in reference to the operation schedule. Does the driver get paid even if the bus does not run?
2. Chief Loughman received a letter in reference to running of red lights across from the Madison Hotel with a recommendation of installing a camera. Chief Loughman advised the individual that cameras are unlawful for this use.

**MR. WOTOWICZ**

ABSENT

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**TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS - CONTINUED**

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

1. PROCLAMATION: CONGRATULATIONS - 60TH WEDDING ANNIVERSARY

WHEREAS, MARIE AND JAMES TOTARO, 145 Lake Road, Morristown, residents of Morris Township, will celebrate sixty years of marriage on September 2, 2006, and

WHEREAS, Marie and James have two daughters, Rachel and Lu Ann and two grand-daughters, Rebecca and Sarah, and

WHEREAS, James Totaro retired from Electrical Maintenance Corp. of Hoboken, NJ with twenty-five years of service and Marie Totaro is a domestic engineer, and

WHEREAS, it is fitting and proper that public recognition be made of this celebration.

1. PROCLAMATION: CONGRATULATIONS - 60TH WEDDING ANNIVERSARY

NOW, THEREFORE, I, ROBERT E. NACE, Mayor of the Township of Morris do hereby congratulate Marie and James Totaro on their sixtieth wedding anniversary with best wishes for many more happy years together.

2. September 17, 2006 - 3 P.M. concert - (3-5) final concert.
3. September 20, 2006 - 6 P.M. dedication in front of Municipal Building - canon replica will be placed on the front lawn.
4. October 3, 2006 - volunteer recognition evening to thank our dedicated volunteers.

\* \* \*

**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:

JULY 2006  
TAX COLLECTOR - REVENUE REPORT

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

\* \* \*

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

Minute Book Attachment #1 (MBA #3) dated August 16, 2006 \$11,013,712.60

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 \$11,013,712.60 for payment of the itemized Vouchers set forth on Schedule A, referenced as Minute Book Attachment No. 3, 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 ABSENT  
MAYOR NACE YES

\* \* \*

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

The Governing Body recessed at 8:35 P.M., the August 16, 2006 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

**CALL TO ORDER AND ADJOURNMENT**

At 10:50 P.M. the August 16, 2006 recessed Regular Meeting was called to order and the following resolutions were adopted:

AUTHORIZING **SETTLEMENT OF EVERGREEN CEMETERY** BY USPS, TENANT-TAXPAYER VS. TOWNSHIP OF MORRIS, BLOCK 10201/LOT 15, 150 RIDGEDALE AVENUE;

AUTHORIZING **SETTLEMENT OF MORRISTOWN REALTY VS.** TOWNSHIP OF MORRIS, BLOCK 7003/LOT 16, 475 SOUTH STREET;

RE: **DENYING GRIEVANCE FMBA LOCAL 70** (GRIEVANCE/VACATION),

and 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 11:00 P.M., next to convene at the 8:00 P.M., September 20, 2006, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

\_\_\_\_\_  
CATHLEEN AMELIO  
TOWNSHIP CLERK

DATED: AUGUST 31, 2006

