

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

CALL TO ORDER

The November 8, 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.

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ATTENDANCES

ELECTED OFFICERS

GOVERNING BODY

Mayor Robert E. Nace
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

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PLEDGE OF ALLEGIANCE

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

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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 November 3, 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

NONE

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**PRESENTATION - JOINT FREE PUBLIC LIBRARY OF MORRISTOWN &
MORRIS TOWNSHIP**

Mr. Geoffrey Brooks (Township's Mayor's Alternate Member to the Library), with Marjorie Shavel and Patricia Murphy (representative to the Library from Morris Township) present, made a presentation and summarized the following:

1. Attendance (visitors);
2. 22,500 card holders;
3. Programs;
4. Cost of expansion \$8.2M;
- Opened in September;
5. Funding of expansion.

Mr. Brooks summarized the status of 83 South Street, owned by the Library Foundation which will be leased to Hamshire Companies for 25 years. Explained the parking agreement with easements. Stated the donors to the library should be commmerated.

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ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION

NONE

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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 December 6, 2006 meeting at 8:00 P.M.:

ORDINANCE #25-06 - ORDINANCE AMENDING CHAPTER 67 "POOL, MUNICIPAL: RULES AND REGULATIONS (FEES)"

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

- - -

ORDINANCE #26-06 - 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 \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF MINUTE BOOK ATTACHMENT #1 (MBA #1) DATED NOVEMBER 6, 2006.

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

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ORDINANCE #27-06 - AN ORDINANCE AMENDING CHAPTER 88 REGARDING PARKING RESTRICTIONS ON CERTAIN STREETS (CORY ROAD AND DICKENS COURT) AND SETTING FEES AND REGULATIONS FOR THE SPEEDWELL AVENUE PARKING LOT

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

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ORDINANCE #28-06 - ORDINANCE AMENDING CHAPTER 95, PARAGRAPH 36, ACCESSORY USES AND STRUCTURES AND CHAPTER 57, PARAGRAPH 95, ZONING PERMITS, SITE PLAN

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

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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 – PATRIC J. AND KATHLEEN G. HYLAND

WHEREAS, PATRIC J. AND KATHLEEN G. HYLAND, of Morris Township, are being honored by the Sisters of Charity of Saint Elizabeth at their yearly Fall fundraiser, for exemplifying the mission of the Sisters for Patric and Kathleen's work with and for the poor; and

WHEREAS, the Mayor and Township Committee of the Township of Morris wish to recognize their unselfish contribution to the citizen of Morris Township through their dedication to civic duty and for giving of their time and talent without reserve to their community; and

WHEREAS, Patric and Kathleen being longtime residents of Morris Township have been married for forty-six (46) years and have three (3) children, Maureen Byrne, Colleen Loughman, and John Hyland, and nine grandchildren of whom they are very proud; and

WHEREAS, Kathleen graduated from the Academy of Saint Elizabeth, is currently a co-owner of Ginty Irish Gifts, Morristown, is also a member of the Morris Township Committee, serving as mayor from 1993-1994, was chair of Teen Pride, former Member of the Board of Directors for First Night Morris, Chairwoman of the Garden State Irish Festival in 1995, was a member of the Morris County School of Technology Board of Education serving as President from 1994 to 1996 and was the Grand Marshall for the Morris County St. Patrick's Day parade in 1998; and

WHEREAS, Patric is currently employed as the Administrator of the Shade Tree Commission of Morris County. He has served as Mayor of Morris Township From 1975-1976, served as the Director of the Morris County Board of Chosen Freeholders. He also served as the chairman of the Metropolitan Planning Authority and is a former member of the Morris County Planning Board. Mr. Hyland is a member of the Woodland Fire Company, the Morris Plains Rotary Club and the Friendly Sons of St. Patrick and has served as President on both organizations. Pat serves as a member of the Board of Directors for the Loyola House of Retreats in Morristown; and

**IN RECOGNITION AND OF CONGRATULATIONS – PATRIC J. AND KATHLEEN G. HYLAND
(CONTINUED)**

WHEREAS, Patric and Kathleen Hyland are tireless volunteers and have committed themselves to others with their talents, insights and caring not only to the residents of Morris Township, but to surrounding communities in the County of Morris. Mr. & Mrs. Hyland exemplify goodness and caring and have demonstrated their dedication for many years with their untiring effort in helping others; and

WHEREAS, Patric and Kathleen have reached out and touched the lives of so many through their kindness and caring making just one life special is to be commended by all in our community; and

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

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RESOLUTIONS (CONTINUED)

Patric J. and Kathleen G. Hyland

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

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AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (4- \$143,109.36)

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.:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Reason</u>	<u>Amount</u>
<u>TAX</u>				
7003	16	Morristown Realty	Refund of SBJ for 2005 & 2006	\$140,791.06
8704	31	Township of Morris- Sewer Acct	Transfer Tax payment to Sewer	984.15
9605	12	Township of Morris- Sewer Acct	Transfer Tax payment to Sewer	\$ 984.15
10302	18	Township of Morris- Sewer Acct	Transfer Tax payment to Sewer	\$ 350.00

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

RE: AUTHORIZING TRANSFER OF FUNDS

WHEREAS, various 2006 bills will be presented for payment, and

WHEREAS, N.J.S. 40A:4-58 and N.J.S. 40A:4-59 provides that excess unexpended balances in appropriations can be transferred to meet specific needs which are deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee that in accordance with the provisions of N.J.S. 40A:4-58 and N.J.S. 40A:4-59 that the excess, in certain appropriations, be and the same is hereby transferred to the appropriations that are deemed insufficient.

<u>APPROPRIATION</u>	<u>FROM</u>	<u>TO</u>
\$ 5,000	Finance S/W	Building & Grounds O/E
\$ 5,000	Finance S/W	Vehicle Maintenance O/E
\$10,000	Recreation S/W	Vehicle Maintenance O/E
\$10,000	Recreation S/W	Parks O/E
\$ 2,000	Tax Collectors S/W	Water O/E
\$30,000	Administration & Exec S/W	Gasoline O/E
\$20,000	Engineering S/W	Gasoline O/E

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RESOLUTIONS (CONTINUED)

\$10,000	Police S/W	Vehicle Maintenance O/E
\$10,000	Police S/W	Fire O/E

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

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A RESOLUTION OPPOSING THE IMPOSITION OF THE SALES AND USE TAX ON TRADITIONAL LOCAL GOVERNMENT SERVICES

WHEREAS, a determination has been made that municipal parking services offered by local and county governments as well as authorities and municipal swimming pools designed to provide summer opportunities for children and families should be subject to the Sales and Use Tax; and

WHEREAS, local governments, counties and authorities have worked to take vehicles off the road and utilize commuter parking to consolidate parking facilities through municipal parking services which in turn have minimized operating costs while providing a valuable service; and

WHEREAS, similarly with municipal swimming facilities, which in many cases are the only swimming facilities available to the less fortunate and people of a community, pool memberships are sold to minimize costs and to guarantee a base revenue; and

WHEREAS, these traditional services have for years been free and exempt from the imposition of the Sales and Use Tax and if instituted would increase the burden on local governments to collect these taxes on behalf of the state.

A RESOLUTION OPPOSING THE IMPOSITION OF THE SALES AND USE TAX ON TRADITIONAL LOCAL GOVERNMENT SERVICES (CONTINUED)

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, that we oppose the imposition of the Sales and Use Tax on traditional local government services such as municipal parking and swimming pool services.

ROLL CALL: MRS. HYLAND ABSENT 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 BETWEEN THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND THE TOWNSHIP OF MORRIS REGARDING THE RESURFACING OF THE ROUTE 24/I-287 INTERCHANGE TO WEST OF ROUTE 124 INTERCHANGE

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RESOLUTIONS (CONTINUED)

WHEREAS, the State of New Jersey intends to resurface the Route 24/I-287 Interchange to west of Route 124 Interchange within the Township of Morris; and

WHEREAS, the project proposed by the State of New Jersey Department of Transportation may require the use of municipal police for work zone safety operations supplementing the traffic control plan established under the contract for construction of the project; and

WHEREAS, the State of New Jersey Department of Transportation has requested that the Township of Morris enter into a Police Agreement and Statement of Costs for Traffic Directors. The costs incurred by the Township of Morris Police in connection with the project shall be paid directly to the Township of Morris by the State of New Jersey Department of Transportation pursuant to an agreement attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized to execute an agreement between the State of New Jersey Department of Transportation and the Township of Morris to provide for the direct payment to the Township of Morris of costs incurred on the resurfacing of the Route 24/I-287 Interchange to west of Route 124 Interchange within the Township of Morris for municipal police services in the form attached hereto.

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

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URGING THE GOVERNOR AND THE STATE LEGISLATURE TO ADOPT, AND ENACT, ASSEMBLY BILL 3563 INTO LAW. THIS BILL WOULD REQUIRE THE ATTORNEY GENERAL TO DEFEND LOCAL LAW ENFORCEMENT OFFICERS WHO ARE SUBJECT TO A LEGAL ACTION ARISING OUT OF THE LAWFUL EXERCISE OF THEIR POLICE POWERS WHILE ASSIGNED TO AND WORKING UNDER THE SUPERVISION OF A STATE LAW ENFORCEMENT OFFICER OR AGENCY

WHEREAS, local law enforcement officers are occasionally called upon to serve under the supervision of a county prosecutor or State law enforcement officer or agency; and

WHEREAS, in said capacity, a local enforcement officer may be subject to litigation as result of performing lawful police powers under the aforesaid state authorities or officials; and

WHEREAS, recently the State Attorney General's Office has refused to represent a group of law enforcement officers who were sued for lawful police actions under a special county task force directly controlled by a county prosecutor; and

WHEREAS, as a consequence the defense of their actions were funded by the local jurisdictions; and

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RESOLUTIONS (CONTINUED)

WHEREAS, assistance rendered in the past to the State by local law-enforcement officers has been a significant factor in enforcing the law in critical police actions; and

WHEREAS, as a consequence of the local jurisdictions being subject to providing legal defense to its law enforcement officers in such a situation, they may hesitate to approve the use of said law enforcement officers personnel by the State, jeopardizing the success of future law enforcement operations; and,

WHEREAS, Assembly Bill 3563 would address this problem by requiring the State Attorney General's Office to defend local law enforcement officers sued while performing lawful police duties under the direction of a State official or agency.

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

1. We strongly urge the State Legislature to adopt, and the Governor of the State of New Jersey to enact, Assembly Bill 3563 into law.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Jon S. Corzine, members of the 25th Legislative Delegation and our sister municipalities.

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

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AUTHORIZING AWARD OF CONTRACT TO MAJOR CHRYSLER, JEEP, DODGE OF LONG ISLAND CITY, NY UNDER COUNTY CO-OP CONTRACT #15C FOR THE PURCHASE OF ONE (1) 2007 DODGE DURANGO IN THE AMOUNT OF \$22,138.00.

WHEREAS, the Township of Morris wishes to purchase one (1) 2007 Dodge Durango; and

WHEREAS, the above item is available through Morris County Cooperative, Contract No. 15C, from Major Chrysler, Jeep, Dodge; and

WHEREAS, the Director of Finance has certified that funds are available in the Purchase of Police Cars' budget in the amount of \$18,800.00 and the balance will come from the Police Department's O&E budget in the amount of \$3,338.00.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, that a contract be awarded to Major Chrysler, Jeep, Dodge, Long Island City, New York, for the purchase of one (1) 2007 Dodge Durango in the total amount not to exceed \$22,138.00.

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF CONTRACT TO GOVCONNECTION FOR VOICE OVER INTERNET PROVIDER (VoIP) TELECOMMUNICATIONS SYSTEM EQUIPMENT UNDER STATE CONTRACT A81223 AT A COST NTE \$40,000.00

WHEREAS, the Township of Morris has need of Voice Over Internet Provider (VoIP) Telecommunications System Equipment, and

WHEREAS, the above item is available through State Contract A81223 from GovConnection, and

WHEREAS, the Director of Finance has certified that funds are available G-04-55-620-010 in an amount not to exceed \$40,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, that a contract be awarded to GovConnection of 2150 Post Road, Fairfield, CT 06824 for the purchase of Voice Over Internet Provider (VoIP) Telecommunications System Equipment at a cost not to exceed \$40,000.00.

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

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A RESOLUTION AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MORRIS AND THE TOWN OF MORRISTOWN, THE BOROUGH OF MORRIS PLAINS, THE BOROUGH OF MADISON AND THE TOWNSHIP OF HANOVER (CEDAR KNOLLS, HANOVER TOWNSHIP FIRE DISTRICT #3), FOR THE SHARING OF THE YEARLY MAINTENANCE OF FIT TESTING EQUIPMENT IN ORDER TO COMPLY WITH THE RESPIRATORY PROTECTION ACT IN AN ECONOMIC MANNER

WHEREAS, in order to comply with PEOSHA 29 CFR 1910.134 Respiratory Protection Act, every interior firefighter who has been trained to operate in an "immediately dangerous to life and health" atmosphere while wearing a "self contained breathing apparatus" must be "Fit Tested" on a yearly basis in order to ensure a properly fitted face mask; and

WHEREAS, the Township of Morris and Participating Parties had previously entered into an Interlocal Services Agreement in 2001, which set forth the terms of the purchase of such Fit Testing Machine and the mutual use and sharing of maintenance costs; and

WHEREAS, the Township of Morris and Participating Parties duly purchased a Fit Testing Machine, a TSI PortaCount Fit Testing Machine, for the amount of \$7,610.00, the cost of which was shared equally among the parties at \$1,610.00 each; and

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RESOLUTIONS (CONTINUED)

WHEREAS, the previous Interlocal Services Agreement is about to expire and the parties hereby desire to enter into a new Interlocal Services Agreement as authorized under Local Public Contracts Law, at N.J.S.A. 40A:11-10(a) and the Interlocal Services Act, at N.J.S.A. 40:8A-1 et. seq., in order to set forth the terms of the yearly maintenance, cost sharing and testing schedules for the Fit Testing Machine.

WHEREAS, the parties to this Interlocal Services Agreement are authorized to contract for said goods and services pursuant to the Interlocal Government Services Act, N.J.S.A. 40:8A-1 et. seq.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, that an Interlocal Services Agreement for the yearly maintenance, cost sharing and testing schedules of Fit Test Equipment between the Township of Morris and Town of Morristown, the Borough of Morris Plains, the Borough of Madison and Hanover Township Fire District #3, be and is hereby authorized; and

BE IT HEREBY FURTHER RESOLVED, that the Mayor is hereby authorized to execute and the Township Clerk to witness such Interlocal Services Agreement in a form to be approved by the Township Attorney.

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

- - -

**AUTHORIZING AWARD OF CONTRACT FOR LEGAL COUNSEL TO SKOLOFF & WOLFE,
293 EISENHOWER PARKWAY, LIVINGSTON, NJ 07039, NTE \$55,000 – FOR TAX APPEALS**

WHEREAS, the Township of Morris has the need to acquire professional services of special legal counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as it relates to the defense of tax appeals; 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, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is the duration of this agreement; and

WHEREAS, Skoloff & Wolfe has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit Skoloff & Wolfe from making any reportage contributions through the term of the contract; and

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RESOLUTIONS (CONTINUED)

WHEREAS, the Township of Morris has the need to acquire professional services of special legal counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as it relates to the defense of tax appeals, 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, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

WHEREAS, the anticipated term of this contract is the duration of this agreement; and

WHEREAS, John R. Lloyd, Nowell Amoroso Klein Bierman, P.A. has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit John R. Lloyd, Nowell Amoroso Klein Bierman, P.A. from making any reportage contributions through the term of the contract; 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 Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with John R. Lloyd, Nowell Amoroso Klein Bierman, P.A., at the hourly rate of \$150, for a total not to exceed \$20,000.

AUTHORIZING AWARD OF CONTRACT FOR LEGAL COUNSEL TO NOWELL AMOROSO KLEIN BIERMAN, P.A., 155 POLIFLY ROAD, HACKENSACK, NJ 07601 AT \$150 PER HOUR, NTE \$20,000 – FOR TAX APPEALS (CONTINUED)

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with the resolution.

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

RE: CAPITAL BUDGET AMENDMENT

RESOLUTIONS (CONTINUED)

RE: CAPITAL BUDGET AMENDMENT (CONTINUED)

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

- - -

RESOLUTION RE: AUTHORIZING AN AMOUNT NOT TO EXCEED \$5,000.00 FOR MEDIATION PURPOSES - SOLUTION OF FINDINGS AND DETERMINATION - JUDGE DAVID CRAMP, C/O GRAHAM CURTIN & SHERIDAN, HEADQUARTERS PLAZA, P.O. BOX 1991, MORRISTOWN, NJ 07962

WHEREAS, the Township of Morris has need to retain the services of a mediator with respect to potential litigation in the matter of Al Neto Contractors; and

WHEREAS, the expectation of the Township of Morris is that the cost of such mediation would be equally divided.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris that the Township Attorney is authorized to act on behalf of the Township to secure the services of retired Judge David Cramp, c/o Graham Curtis & Sheridan, 4 Headquarters Plaza, P.O. Box 1991, Morristown, NJ 07962, as mediator with an authorization of funding not to exceed \$5,000.00.

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

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RESOLUTIONS (CONTINUED)

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:

Ms. Charlene Anderson, 7 Emmett Avenue - would like Verizon to move the dumpster on their property; redirect the light, and remove logs from pruning. The Committee will make request through Ms. Loftin, Zoning Officer.

* * *

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, with regret and appreciation for services rendered, the resignation of George Clark as a member of the Township of Morris Board of Adjustment, effective September, 2006.

CONSENT CALENDAR (CONTINUED)

2. 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-1969 - The Craig School. - 50/50 Off-Premise Raffle - March 3, 2007, 9:00 P.M. - Madison Hotel, One Convent Road.

RA-1970 - The Craig School. - On-Premise Raffle - March 3, 2007, 9:15 P.M. - Madison Hotel, One Convent Road.

RA-1971 - Oak Knoll Parents' Association - Off-Premise Raffle - February 1, 2007 - 6:00-10:30 P.M. - Madison Hotel, 1 Convent Road.

RA-1972 - Oak Knoll Parents' Association - On-Premise Raffle - February 1, 2007 - 6:00-10:30 P.M. - Madison Hotel, 1 Convent Road.

RA-1973 - Oak Knoll Parents' Association - On-Premise Raffle - February 1, 2007 - 6:00-10:30 P.M. - Madison Hotel, 1 Convent Road.

RA-1974 - Rotary Club of Madison - On-Premise Raffle - January 25, 2007 - 8:30 P.M. Madison Hotel, 1 Convent Road.

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RESOLUTIONS (CONTINUED)

RA-1975 - Rotary Club of Madison - 50/50 On-Premise Raffle - January 25, 2007 -
8:30 P.M. - Madison Hotel, 1 Convent Road.

ROLL CALL: MRS. HYLAND ABSENT MR. WATSON YES
MR. ROSENBUSH YES MR. WOTOWICZ YES
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. Memo dated October 16, 2006 from Audrey J. Adams, Tax Collector, advising that the mailing or other delivery of all original tax bills and advice copies for the Added and Omitted Billing was completed on October 16, 2006.

* * *

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

ABSENT

MR. ROSENBUSH

1. Thank the citizens of Morris Township who voted for him for another term of office as Township Committeeman.

MR. WATSON

NONE

MR. WOTOWICZ

1. Veteran's Day observation will be Saturday, November 11, 2006 - 10 A.M. at Township Hall and 11 A.M. on the Green in Morristown (Mr. Watson will represent).

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 8, 2006 PAGE 17**

CALL TO ORDER AND ADJOURNMENT

At 9:35 P.M. the November 8, 2006 recessed Regular Meeting was called to order and a resolution entitled "RESOLUTION RE: AUTHORIZING AN AMOUNT NOT TO EXCEED \$5,000.00 FOR MEDIATION PURPOSES - SOLUTION 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 9:39 P.M., next to convene at the 8:00 P.M., December 6, 2006, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: DECEMBER 1, 2006